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NOVEMBER 20, 1981

MORALITY, LAW, & POLITICS

ABORTION

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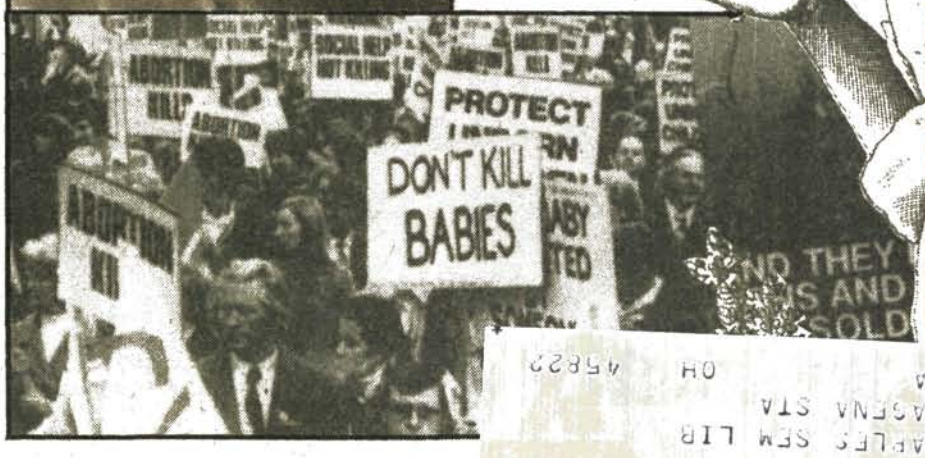

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Correspondence

Was JFK Catholic?

Newport, R.I.

To the Editors: I have just finished reading Ed Marciniak's review of *Second Spring* by Charles A. Fracchia [Aug. 28]. Mr. Marciniak's statement concerning "the Catholic style of John F. Ryan, John Kennedy and Dorothy Day" is altogether outrageous. Surely he jests! So far as one could observe there was nothing "Catholic" about the style of John Kennedy. To couple his name with that of Dorothy Day?! . . . *C'est rire.*

HELEN R. HOLLAND

The author replies:

In order to disparage John F. Kennedy, Helen R. Holland truncates not only my statement but also its thrust. "The genius of twentieth century Catholicism in the United States," I wrote, "was that it could generate women and men [I named seven] who had an impact on both church and state, who moved easily between city square and cathedral."

In overcoming anti-Catholic bigotry to win the U.S. presidency in 1960, Kennedy shaped the future of American politics. With the help of John Cogley, a former editor of *Commonweal*, and others like John Courtney Murray, S.J., Kennedy formulated a philosophical approach to the U.S. separation of church and state—in the face of the muddled thinking then current about the subject among theologians and philosophers. Kennedy's efforts thus contributed to the momentum which eventually produced Vatican II's historic *Declaration on Religious Freedom*, which Pope Paul VI called "one of the major texts of the Council."

ED MARCINIAK

Lebanese & Syrians

Beirut, Lebanon

To the Editors: Concerning the article "Begin and Preemption" in your issue of August 28th: I as much as Mr. Wrong deplore Begin's bloody bombings of densely populated areas of Beirut. But I am amazed that he can devote such an intelligent article to the unending violence that is destroying much of Lebanon without so much as one word about the savage and indiscriminate shelling of civilian areas of east Beirut and the barbaric siege of the 200,000 inhabitants of the city of Zahle by the Syrian army which still carries the laughable title of a "peace-keeping force." Since April 2, the Syrians have killed hundreds of civilians, and destroyed schools, hospitals, and private homes while forcing thousands to seek what shelter they could find in the mountains. Most schools have been closed since that date and business has been paralyzed.

Mr. Wrong wisely points out the "reluctance of the Western press to tell the full story in Lebanon" but omits to inform us that it is not only about the Israeli terrorism that the West is being kept in the dark. International screams were raised over the destruction of the Iraqi nuclear plant, and tons of dust were thrown in the air over the fabricated so-called Syrian missile crisis, while hardly a whimper was heard about the deliberate destruction of civilian lives and homes in Zahle and east Beirut.

I have lived and worked in Beirut for over fifteen years. I notice that that is also Mr. Wrong's home. Is it correct to presume that he lives and writes in *west* Beirut which has, mysteriously enough, been spared the devastation of the Syrian army attacks?

(REV.) FRANK A. RAMSPERGER, S.J.

The author replies:

In his response to my article, "Begin and Preemption," which was published in the Aug. 28th issue, the Rev. Frank A. Ramsperger, S.J. seems to miss the point.

It is indeed lamentable that the world press has consistently focused on Palestinian-Israeli violence in Lebanon while neglecting the long-standing inter-Arab antagonisms that plunged the country into bloody civil war in '75-'76 and continue to divide this strife-torn land today. Although the world only occasionally remembers the Lebanese and their national tragedy, Father Ramsperger should recall that in April, weekly magazines throughout the U.S. and Europe ran graphic feature stories on the Syrians' "genocidal war against the Lebanese Christian community" (Menachem Begin's words).

The possibility of a full-scale Syrian-Israeli war and the potential involvement of their two superpower allies, the U.S. and the U.S.S.R., made the phrase "Lebanese crisis" in vogue again. Unfortunately, after the Israelis shot down two Syrian helicopters and the Syrians responded by positioning defensive SAM missiles in the Bekaa valley, "Lebanese crisis" gave way to the even more catchy "Syrian missile crisis." As Father Ramsperger points out, although the so-called "Syrian missile crisis," evaporated, the 30,000-man Syrian "peace-keeping forces" and their willful bombardment of Lebanese Christian areas has continued to be a day-to-day reality for those who live there.

In my article, I attempted to address the Israeli contribution to the cycle of violence in Lebanon. The U.S. is the chief arms supplier to Israel, and ideally, would have some ability to influence Israeli policy in Lebanon. As for the Syrians, who have a twenty year "friendship treaty" with their chief supplier, the Soviet Union, Washington's stock in Damascus is very low. Finally, I would inform Father Ramsperger, that while I spend most of my time in West Beirut, I did in fact spend a very cruel April under

(Continued on page 671)

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Contents

Volume CVIII, Number 21

Correspondence	642
Editorial	643
The trauma of abortion politics: *Raymond Tatalovich & Byron Daynes*	644
Catholic liberals & abortion: *Mary Meehan*	650
A battle between liberals?: *Peter Steinfels*	652
Beyond the stereotypes: *James R. Kelly*	654
The life line: *Bob O'Keefe*	658
The search for an alternative: *Peter Steinfels*	660
Screen: *Colin L. Westerbeck, Jr.*	660

Books

The Family on Trial: *Jean Bethke Elshtain*	667
Man and Woman in Christ: *Sidney Callahan*	670

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ABORTION: A SEVERE TESTING

"ABORTION," writes theologian Richard A. McCormick, S.J., "is a matter that is morally problematic, pastorally delicate, legislatively thorny, constitutionally insecure, ecumenically divisive, medically normless, humanly anguishing, racially provocative, journalistically abused, personally biased, and widely performed. It demands a most extraordinary discipline of moral thought, one that is penetrating without being impenetrable, humanly compassionate without being morally compromising, legally realistic without being legally positivistic, instructed by cognate disciplines without being determined by them, informed by tradition without being enslaved by it. . . . Abortion, therefore, is a severe testing ground for moral reflection." In addition, writes Father McCormick, it is "probably a paradigm of the way we will face other problems in the future. Many of us are bone-weary of the subject, but we cannot afford to indulge this fatigue. . . ."

Unlike other life-and-death issues, abortion is very, very close to us. Nuclear war could abort the whole human race, but that is in some awful tomorrow. Capital punishment, this side of Iran, takes a limited number of lives. Famine occurs in the Horn of Africa or Southeast Asia. But abortion is next door. One and a half million abortions are performed in the U.S. yearly; one out of every nine women of reproductive age has obtained one. In short, most of us know someone who has had an abortion; or we have shared the thoughts of others contemplating the possibility, even if the choice was not made or finally not posed. This is one of the reasons the subject is so bone-wearying.

It is easy to retreat from this weariness by either shunning the issue altogether or by single-mindedly concentrating on one aspect of it while blanking out all the complicating realities. Denouncing the inconsistencies of one or both sides of activists, resigning oneself to whatever the Supreme Court has decided, reducing the question to one of "choice" abstracted from the problem of what is being chosen, feeling the tragedy of the fetus but not of the mother, insisting on the rights of women who are born but not on any rights for the unborn, whether female or male, pretending that abortion is opposed only by a small group of Americans, pretending that abortion is sought or defended only by selfish individuals — these are all ways of evading the burden of authentic moral judgment.

As this special issue on abortion was going to press, the Catholic bishops repeated their condemnation of abortion and endorsed a constitutional amendment that would return the issue to Congress and the state legislatures. Though such an amendment would not ban abortion without further action, NCCB president Archbishop John R. Roach called it the best "achievable solution." The bishops' decision, in effect, recognizes the complexities in relating morality to law and in seeking the common good in a pluralistic society. We hope this issue does too.

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The trauma of abortion politics

RAYMOND TATALOVICH
& BYRON W. DAYNES

FOR ALMOST two decades, abortion has persisted on the political agenda. The Supreme Court's landmark 1973 rulings in *Roe v. Wade* and *Doe v. Bolton* did not resolve this dispute but rather aggravated it to the point where the very fabric of democratic politics is threatened. In its present form, abortion joins such political issues as Abolition, school desegregation, Prohibition, and Bible-reading in the schools. As with these earlier controversies, abortion is not an economic but a "lifestyle" issue. It does not involve the immediate self-interest of the parties on either side of the dispute, nor does it allocate tangible resources among various groups in the population. The debate over abortion today is a contest between divergent values, and the dispute is so combative that the antagonists cannot even "agree to disagree." They fail to acknowledge a common ground for argument, which is why a settlement of the abortion dispute is so distant.

The test abortion now poses for the stability of our democratic system need never have come to pass; the entire question did not begin with such ominous overtones. In fact, there have been *two* abortion issues—one that began in the 1960s and one that emerged during the 1970s. Only by fully understanding this difference can citizens appreciate how the abortion controversy has been transformed and intensified and what steps may be required to resolve it successfully. This transformation in abortion politics was precipitated by *Wade*, and involved changes in the nature of the issue and in the scope of political conflict.

MOST OBSERVERS would not date the beginnings of this controversy earlier than 1959, the year when the American Law Institute recommended "therapeutic" abortion in cases where the mother's or child's physical or mental health was endangered or in cases of rape. Its Model Penal Code had little immediate effect, but eventually a "reform" movement coalesced around those objectives. The problem for reformers during the 1960s was to get exposure for an issue long ignored by the body politic. This was provided by the sensational publicity surrounding Sherri Finkbine's effort to obtain a legal abortion and the birth-defect tragedies caused by the drug thalidomide as well as a subsequent outbreak of German measles. Ultimately, fourteen states reformed their abortion laws during 1966-1972; in 1970, moreover, New York, Alaska, Hawaii, and Washington "repealed" their statutes to permit abortion as an elective procedure. These eighteen states are significant beyond their numbers since they represented two-fifths of the nation's population in 1970.

The gains made by reformers during this period were impressive. In most instances therapeutic abortion was enacted without much conflict. The arguments for reform seemed compelling, and the forces in opposition were not well organized. Catholics, in particular, were a decided minority in all the states adopting abortion reform except New York. What the 1960s showed was the gradual building of a consensus behind abortion *reform*. Conflict was also minimized because the terms of the debate were narrowed to a specific issue, "therapeutic" abortion, which seemed to have no major ramifications for society. And by following the guidelines of the American Law Institute (ALI), pro-abortion activists in virtually every state were bound by the same assumptions, made similar arguments, and pursued common objectives.

Both proponents and opponents of abortion agreed that ALI reforms permitted abortions to only a limited number of women. Some pro-abortionists were concerned about this, arguing that many deserving women in depressed socio-economic conditions would not be aided by reformed statutes, but others used this fact to assure the public that liberalization would have only limited impact on the country. While anti-abortionists raised the specter of mercy killing and infanticide

RAYMOND TATALOVICH *is an associate professor of political science at Loyola University of Chicago.* BYRON W. DAYNES *is an associate professor of political science at DePauw University.* *This article is based on the authors' forthcoming book*, The Politics of Abortion: A Study of Community Conflict in Public Policy-Making *(Praeger).*

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resulting from this deterioration in public morals, the mass media tended to address the abortion question from a short-term, problem-solving perspective. That a moral position against abortion existed was duly noted, but opinion-making elites tended not to take it seriously. Instead, the controversy was defined as a medical problem rather than a moral issue. Reformers appealed to state legislatures to permit physicians to practice good medicine; they appeared to be calling for almost a technical revision in the criminal code to reflect contemporary medical standards. To the extent that any issue is defined as purely a technical problem, the citizenry tends to defer to the judgment of those experts directly involved. And this quality affected the abortion debate in the 1960s; the esteem enjoyed by the medical profession facilitated the cause of abortion reform. Numerous opinion polls were taken of physicians during this period, and all showed the profession to be solidly behind therapeutic abortion.

Nor was the call for abortion reform a radical alteration in public policy. There was a tradition behind it. All states operating under nineteenth century anti-abortion laws had permitted therapeutic abortion in cases where the mother's life was endangered. A few states, moreover, allowed abortion also when the mother's health was threatened. In this light, therefore, the reformers were simply asking for added therapeutic exceptions to the law. And this argument seemed modest compared to the opposition's assertion that any abortion, including those now legal, was immoral and should be prohibited. Pro-abortionists were offering the public an argument for incremental changes in existing abortion law, whereas the opposition appeared more extreme in its position.

Another characteristic of the 1960s was the fact that the pro-abortion effort was "elitist" in nature. In each state that enacted abortion reform, a small number of activists working through ad hoc organizations were able to place this issue on the formal agenda of government. These activists were also able to build broad-based coalitions with established health-care organizations, professional associations, and civic groups. And although certain pro-abortion militants occasionally used direct action to dramatize their cause, the thrust of abortion reform was to effectively utilize conventional lobbying techniques.

The public was not involved in the reform movement beyond articulating its approval for therapeutic abortion in public opinion surveys. During the 1960s as many as eighty percent of Americans favored abortion reform. And support came from both Catholics and Protestants, though Catholics tended not to support abortion at the same level as did Protestants. Nevertheless, given the legitimacy of reform in public opinion, it is highly doubtful that the kinds of arguments made by abortion opponents could have engendered a widespread public reaction against the limited goals being advanced by the abortion reformers.

Transition in Abortion Politics

FROM 1969 UNTIL 1973 abortion politics established the pattern which would dominate the post-*Wade* era. This pattern was shaped by three interrelated developments.

First, pro-abortionists abandoned therapeutic reform in favor of outright repeal as their fundamental objective. The National Association for the Repeal of Abortion Laws (NARAL) was formed in 1969, and numerous feminist, health care, and religious groups endorsed abortion "on demand." Among such organizations were the American Civil Liberties Union, National Organization of Women, Physicians Forum, American Public Health Association, United Church of Christ, Presbyterian Church in the United States, and the National Council of Jewish Women.

Second, the opposition to abortion appears to have stiffened during this time, and the emerging right-to-life movement did not moderate the debate by calling for a return to therapeutic abortion while opposing repeal. It sharpened the conflict by opposing *any* changes in the legal status quo. Given this increased hostility between the combatants, it became more difficult to fashion a meaningful compromise on this issue. During the years 1971-1973 only Florida enacted therapeutic reforms. At this time, moreover, the abortion activists had planned a Midwest offensive to push for abortion repeal; their defeats in Iowa, Minnesota, and Michigan showed the tenacity of anti-abortion forces. In the case of Michigan, as well as in North Dakota in 1972, the opposition rallied public opinion to defeat referenda proposing liberalized abortion. In Pennsylvania, after a vicious confrontation between the disputants, the state legislature enacted a very restrictive law permitting abortion only when certified by three physicians. And in New York, anti-abortionists were able to pressure the legislature to rescind that state's two-year-old "repeal" law, only to have that legislation vetoed by Governor Rockefeller.

Third, the proponents of abortion shifted their attention to the judiciary rather than expend limited resources on the slower process of lobbying state legislatures. Before 1969 there had been very little judicial involvement in the abortion issue. That year California's pre-1967 law was invalidated by the State Supreme Court, and the District of Columbia abortion statute was declared unconstitutional by a federal District Court. In the fall of 1970 there were five abortion cases pending before the Supreme Court, more than twenty in lower federal courts, and many more in the state courts of eleven states. By the time of the *Wade* decision, the Supreme Court could cite precedent based upon seventeen judicial decisions. Anti-abortion laws in Connecticut, Georgia, Texas, North Dakota, Illinois, Kansas, New Jersey, Wisconsin, California, and Florida had all been declared invalid whereas others in Kansas, Louisiana, North Carolina, Ohio, Utah, Indiana, Mississippi, and South Dakota had been upheld. In this body of case law, the advocates of legalized abortion based their challenges on the following grounds: (1) the rights of the woman, (2) the vagueness of the statute, (3) the issue of privacy, and (4) equal protection. Where the courts upheld existing anti-abortion laws, they tended to accept the opposition's view that the state had a "compelling" interest in regulating abortions and in protecting fetal life.

Various state court opinions, moreover, suggested that the

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fetus had some legal rights. Decisions in Rhode Island in 1938 and in New York in 1941, for example, said that the unborn child possessed the rights of a human being. Established tort law recognized that the unborn child had the right to receive compensation for injury and to be represented in court as a "person" who could sue for damages, even if stillborn. As recently as 1967, in Massachusetts, a state court declared in the case of *Torigian v. Watertown News Co.* that nonviability posed no barriers which would prevent a fetus from being considered a "person" with rights. Furthermore, it would have been a relatively simple matter in 1973 for the Supreme Court to have accepted the New York Court of Appeals' opinion in *Byrn v. New York City Health and Hospital Corp.* in declaring the unborn child in the womb to be a living human being. What this review suggests is that the Supreme Court had ample precedent to uphold either position in the abortion controversy.

INSTEAD, the Court applied its discovery of "privacy," developed in *Griswold v. Connecticut* (1965), to freedom of choice for the pregnant Jane Roe, refusing any longer to recognize the fetus as a human being. While appearing in *Wade* to weigh in delicate balance the rights of individual privacy against legitimate state interests in protecting life, and while claiming to reject requests for an unqualified right to abortion, the Supreme Court in reality supported only the interests of the pregnant woman to choose whether or not to have an abortion. In reaching its decision in *Wade*, moreover, the Court relied upon presumption and inaccurate data to rationalize its stand favoring legalized abortion.

First, the pro-abortionists argued that the "original" nineteenth century anti-abortion statutes were enacted to protect the mother from dangerous and sometimes fatal surgical techniques. The Court cited "some scholarly support for this view of original purpose," whereupon it totally accepted the historical research put forth by one scholar—an ally of the pro-abortion movement. This was clearly an incomplete reading of the literature, and subsequent research by James C. Mohr argues definitively that a concern for fetal life, and not the risks from abortional surgery, prompted the states to pass restrictive legislation during the nineteenth century.

Second, to document changing attitudes toward abortion, *Wade* mentions that liberalized abortion was supported by the American Bar Association (ABA), the American Medical Association (AMA), and the American Public Health Association (APHA). A reading of their policy statements, however, shows that only the APHA explicitly backed abortion-on-demand. The ABA in 1972 endorsed only ALI-type reforms, and the AMA's position was even more complicated.

The Supreme Court's third error proved to be most damaging to the anti-abortion position. The Court admitted that the question of when life begins was one with which it could not easily deal. Nevertheless, the Court emphasized the extent of the belief, especially among Protestants and Jews, that human life should be recognized only from birth. Subsequent research by Judith Blake, however, indicates that the vast majority of Catholics and non-Catholics tend to date the beginning of life at conception or quickening. In taking, for practical purposes, the position that protectable life begins at birth, the Supreme Court denied any validity to that ethical belief which lies at the heart of the anti-abortion position. For opponents of abortion, the Court's ruling was an unqualified defeat. The Court would not consider appeals based upon the argument that the fetus is a "person." This winner-take-all nature of the *Wade* decision is directly responsible for the turmoil which encircles the abortion controversy today. From this juncture, the anti-abortion forces had no recourse but to aggressively work to reverse *Wade* by legislative enactment or by constitutional amendment.

The 1970s: a new level of conflict

THE SUPREME COURT'S legalization of abortion raised as many questions as it settled. Before the Court issued subsequent rulings, for example, it was unclear whether a minor could obtain an abortion without parental consent or whether a wife needed the concurrence of her husband. Another question left unsettled was whether the new-found "right" to an abortion was an entitlement. Most of these "gray areas" in the *Wade* decision were exploited by abortion opponents to restrict its availability, so the very ambiguity of abortion on-demand served to expand the conflict.

Unlike the debate over therapeutics, moreover, elective abortion gained social significance because any woman, for practically any reason, could try to obtain a legal abortion. After *Wade* the proponents of abortion, in fact, shifted their energies to the task of assuring equal access to abortion services, especially by the poor, which again had the effect of magnifying conflict over this issue.

The 1970s debate over abortion was no longer limited to its short-term effects, for the opponents now linked abortion to other volatile political issues of the day. One side viewed elective abortion as undermining the woman's role in society as well as the sanctity of the family unit. Opposition to abortion became entangled with opposition to ERA. Anti-abortion arguments were also linked to a "conservative" political ideology and to a belief in strict personal morality. The major research on this question is provided by Professor Donald Granberg of the University of Missouri, and he finds that the primary difference between pro-life and pro-choice activists relates to their attitudes toward such related issues as sex education, pornography, extramarital relations, and homosexuality. Within the political milieu of the 1970s, therefore, abortion became a codeword for a larger ideological perspective for both its proponents and opponents alike.

And finally, "on-demand" abortion was a radical departure in public policy, and few spokesmen on either side of the controversy were fully prepared for the magnitude of the *Wade* decision. Our reading of the anti-abortion literature suggests that the opposition was psychologically prepared to accept defeat in those states which enacted abortion reform, though they clearly did not relish the prospect. This was

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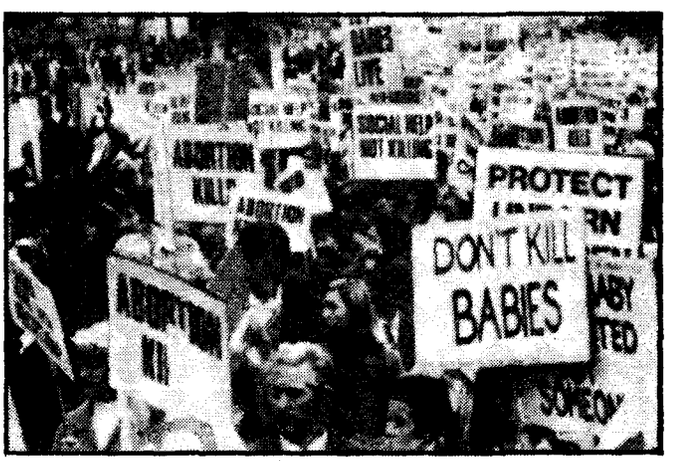
simply part of democratic politics. The idea of deciding this question in the courts, however, was steadfastly opposed by the anti-abortion forces because it undermined the process of negotiation and compromise and denied effective representation to the unborn.

Beyond changing the terms of the abortion debate, *Wade* increased political conflict by expanding the scope of participation in this controversy. In contrast to the "elitist" quality of the 1960s pro-reform lobby, the organizations now mobilized against legalized abortion assumed the characteristics of a "mass" movement. Involvement of the public in the anti-abortion movement occurred not only within the Catholic church and its affiliated organizations but also through pro-life groups which were able to recruit followers, raise money, and fashion an extensive organization apparatus at the local level.

DURING THE 1960s, moreover, public opinion was compatible with the objective of abortion reform, but in the 1970s it diverged from the goals being advanced by abortion advocates. The public never fully accepted the "right" of abortion on demand. It would appear, given the available opinion poll data, that (1) the Supreme Court's decision has slowly gained acceptance, but that (2) the Court's implementation of *Wade* is not approved, and that (3) the idea of purely elective abortion remains unpopular.

In answer to the following question—"In general, do you favor or oppose the U.S. Supreme Court decision making abortions up to three months of pregnancy legal?"—a series of Harris Surveys taken during 1972-1979 indicated that a majority of Americans, beginning in 1973, approved of the Court's decision, when stated in these terms. By 1979 three-fifths approved and thirty-seven percent disagreed. But of course the Supreme Court's decision had legalized abortion, strictly speaking, for all nine months and freed it from most state regulation for the first *six* months of pregnancy. The Harris results can only be taken to show that *at least* two-fifths of the national sample remains opposed to *Wade* six years after that decision was rendered. But in addition, other surveys show that most citizens favor restricting abortions to state residents, having it performed only in hospitals, and requiring the husband's approval where necessary. When asked whether abortions should be limited by circumstance, the majority of Americans continues to favor restrictions rather than purely elective abortion. The public has always exhibited greater approval for "hard" reasons for abortion, meaning those recommended by the American Law Institute, and socio-economic reasons consistently elicit less than majority support in most opinion polls. In general, consensus is achieved among different socio-economic groups on therapeutic abortion but not on socio-economic grounds, and lower socio-economic groups are especially vulnerable to changes in the public mood with regard to the latter.



One paramount reason why the reform movement during the 1960s was mainly consensual and no effective opposition could be launched was because the official position of the Catholic church was not actively supported by lay Catholics. It may be that religious teachings against abortion, in the abstract, did not relate well to the needs for abortion when the mother's and child's health were threatened. But once the Supreme Court transformed the issue into a question of abortion on demand, the teachings of the Catholic church began to make more sense to its constituency. Thus, *Wade* expanded the scope of conflict over abortion by activating a latent source of opposition to it, that by lay Catholics.

Apart from the tenuous support given to *Wade* by public opinion is the fact that a substantial number of Americans favor efforts to overturn that decision by legislative enactment or by constitutional amendment. Few surveys have been taken on this question, but the findings of those which have suggest that a majority of citizens do support a ban on public funding for abortions. There is less approval for a total prohibition by amendment, however; a 1976 Gallup Poll found that forty-five percent favored this more extreme measure.

NOT ONLY HAS abortion politics in the 1970s differed from the 1960s both in terms of its issue characteristics and its level of political conflict, but the quality of political competition affecting abortion also changed fundamentally. First, the sides to this dispute are now *polarized;* second, *personal* confrontation has replaced reasoned dialogue.

Abortion has now taken on all the marks of a "community conflict." This concept suggests a controversy which engenders a high degree of emotionalism, widespread involvement by the mass citizenry, and its persistence over time. It typically has been applied to disputes which erupt in localities and which engulf such communities in their entirety. During the 1950s the issue of fluoridating public water supplies was one frequent manifestation of community conflict. When an issue becomes polarized, as usually occurs in the course of community conflicts, the question is framed as a "yes or no" proposition. All parties to the dispute are forced to choose between them, and the middle ground is increasingly difficult to articulate.

The shift from issue debate to personal confrontation is also predictable in instances of community conflict. Opinion surveys show that political elites are more tolerant than citizens of political differences. This is exemplified by the workings of

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our legislative assemblies in government where inter-personal norms bolstered by organizational rules permit many serious political disputes to be aired without arousing personal animosities. For the citizen, who typically does not have many opportunities to be tested in this manner, the occasion which arouses political conflict can easily lead to its personalization. There are strong psychological forces at work here; we tend to direct all positive attributes onto our allies and to project all negative qualities on our enemies.

The abortion issue has not resulted in confrontation to the degree experienced during the civil rights movement or the anti-Vietnam protest days, but compared to the 1960s the use of mass demonstrations and direct action is more evident today. Pro-life extremists, for example, have resorted to firebombing abortion clinics in several cities and have harassed the patients and staff at other facilities. Both sides have taken to mounting marches and flaunting evocative public symbols. The increase in political confrontation has led some observers to view abortion as an instance of "single-issue" politics. But this phenomenon is simply the manifestation on the national level of the kinds of behavior patterns which typify community conflict at the sub-national level.

This "single-issue" quality of abortion politics strains the democratic "rules of the game" in our society. The debate over abortion suggests that the norms of political civility do not hold when an issue mobilizes groups whose members have an emotional commitment to one, all-encompassing cause. That our regime does successfully restrain interest-group competition in most instances is explained by the fact that single-issue groups rarely develop over "economic" issues. Interest-groups, on the other hand, are organized to safeguard economic gains, and their membership usually defers to the judgment of leaders as to how best to accomplish that goal. Few members are actively involved, let alone ideologically committed, to the larger purposes of trade associations, professional groups, and the like. But in abortion politics, pro-life and pro-choice groups have had the double effect of sustaining a high-intensity conflict at the grass-roots level while denying to political elites the discretion needed to arrange a political settlement to this issue. Consensus-building on abortion remains the key issue to be resolved, and this problem began with the Supreme Court's *Wade* decision.

Consensus-Building and Abortion

ABORTION HAS been a concern of our national government only since 1973. Before then it was regulated by the states as part of their "police powers" to protect the health, welfare, and morals of the citizenry. Congress and the Executive became involved in this dispute because *Wade* destroyed that political consensus on abortion "reform" achieved during the 1960s. *Wade* short-circuited public opinion on abortion, violated the prerogatives of the states over this policy area, and increased tensions between the Court and the popularly elected branches of government.

Tremendous social change has affected American society in the past three decades, and many of these changes have touched "lifestyle" issues — race, sexual mores, and women's rights, to mention but a few. Without doubt the Supreme Court acted on these issues because the Congress refused to deal aggressively with obvious and serious injustices. But too often proponents of social change are concerned only with righting a wrong, demanding additional rights and liberties, or enacting new laws. They assume that long-standing problems can be erased with one stroke of a pen, and that the majesty of the law will solicit the obedience of the citizenry. But social problems persist, there are few simple solutions to complicated issues, and the people have a tremendous capacity to resist compliance with what they see as ill-advised legislation. The effective implementation of any public policy ultimately depends upon its *legitimacy*, and this is largely determined by the manner in which political consensus was achieved when the policy is enacted into law.

The provision of abortion services depends upon the voluntary cooperation of physicians, nurses, social workers, and numerous other health-care professionals, as well as state and local government officials. Given the decentralized nature of America's health care delivery system, therefore, compliance with *Wade* can be greatly affected by the continuing struggle between pro-life and pro-choice forces. And the record clearly shows that health care professionals have not responded to the demand for abortions. The Alan Guttmacher Institute monitors this development year-by-year, and its findings document a serious maldistribution of abortion services in this country. In 1976, for example, only twenty-one percent of our 2,060 public hospitals allowed abortions to be performed in their facilities, and this situation is little changed today.

CONGRESSMAN HENRY HYDE is quoted as saying, "You don't compromise on this issue of abortion. How do you compromise when the issue is human life — not your life, somebody else's life." Hyde's comments signal the fundamental reason why it is so difficult to resolve the abortion controversy to the satisfaction of all parties. Issues which are "economic" in character are more easily resolved because the antagonists can always, in the final analysis, agree to "split the difference." This is not easily done on a lifestyle question, and particularly on an issue of morality. Related to this is the fact that *Wade*, as a public policy statement, did not reflect the balance of power between the contending forces in this struggle. While there can obviously be winners and losers in the legislative process, many scholars argue that the workings of Congress, with its need for compromise, bargaining, and negotiation, guarantees that "intense minorities" will not lose entirely in the final outcome. But this process is not characteristic of judicial decision-making, as *Wade* clearly shows. In that ruling, the Supreme Court addressed the concerns of a small number of abortion militants while ignoring the growing right-to-life movement and misreading public opinion on this entire question. As a result, the pro-lifers have gained the momentum in this struggle today, and their views predominate in Congress and our state legislatures.

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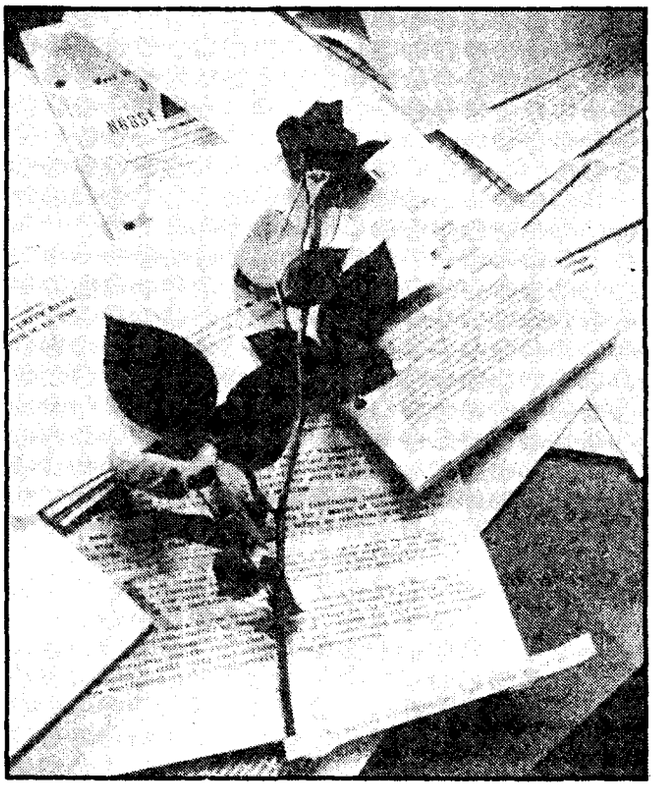

The problem of consensus-building is further compounded by the fact that leadership on this question has sometimes been assumed by ultra-conservatives who see an opportunity to exploit this issue for political gain. By focusing on abortion, for example, Republicans can undermine the commitment of working-class voters to the Democratic party.

Historically the less affluent voted Democratic for economic benefits, but now Republicans are appealing to their conservatism on abortion and other lifestyle issues. The Republican party favors a pro-life amendment to the Constitution whereas the Democratic party has generally stood behind the *Wade* decision. This definition of abortion as a partisan dispute reflects the greater conflict surrounding this issue since 1973.

At this juncture in history, therefore, it appears that consensus-building on abortion will take one of two forms. As one alternative, judicial supremacy in this policy area may be directly challenged by a constitutional amendment — either a pro-life version banning abortions or a states' rights amendment returning jurisdiction over this question to the individual states. To date, nineteen states have called for a Constitutional Convention to rewrite the law on abortion, and what gravely concerns the pro-choice advocates is their location in every region of the country. These states include Delaware, Massachusetts, New Jersey, Pennsylvania, and Rhode Island in the East; Alabama, Arkansas, Louisiana, Kentucky, Mississippi, and Tennessee in the South; Idaho, Nevada, and Utah in the West; and Indiana, Nebraska, Oklahoma, Missouri, and South Dakota in the Midwest. However, it would seem that the immediate prospects for overturning *Wade* by amendment are not good. No pro-life amendment has ever been considered by the entire House of Representatives or Senate, although many have been introduced into Congress every year since *Wade*. And an amendment would require a two-thirds vote in the House and Senate as well as the concurrence of three-fourths of the states.

Another alternative would be a "political" one, involving an understanding between the branches of government. And there does seem to be an emerging area of agreement among lawmakers. Congress and the majority of state legislatures approve of abortion for medical necessity; even the Hyde Amendment provided for this. On the other hand, there is very little support at the national or state levels for fully legalized abortion. This is exemplified by the Hyde Amendment, which permitted the states to reassert their priorities over abortion policy. And the trend has been clear.

By the end of 1978 only ten states (and the District of Columbia) agreed to pay for all abortions or those deemed medically necessary. Sixteen more states paid for abortions only when the mother's life was threatened; five others would pay for abortions when the woman's life was endangered or in cases of incest or rape; and eighteen states accepted the Hyde Amendment language and paid for abortions when the mother's life was threatened, where pregnancy was caused by rape or incest, or where the woman might suffer lasting physical harm. In 1978, eighty percent of all abortions paid for were done because the mother's life was threatened; less than twenty percent involved a situation where serious physical health problems existed; and only about two percent involved cases of rape or incest. Therefore, the vast majority of states agreed to fund abortions for those "therapeutic" indications (except for fetal abnormality) which had been proposed by the American Law Institute twenty years earlier.

THESE PARAMETERS of abortion policy will not satisfy the pro-life or pro-choice militants, but they suggest the beginning of a solution to this dilemma. We do not argue that this scenario is the "best" or the "moral" solution to the problem of abortion, but we do suspect that it may be the viable alternative in terms of the requirements of consensus-building. For one thing, therapeutic abortion is solidly supported by the citizenry as well as health-care professionals. For another, the Supreme Court has opened the door to this kind of resolution of the abortion issue by upholding the constitutionality of the Hyde Amendment. Finally, as imperfect as this option may seem, it comes closer to addressing the concerns of pro-life advocates that abortion not be used indiscriminately as an easy solution to difficult moral and sexual problems. Furthermore, by this solution, the political system will have responded to a very real social problem but in a manner which re-establishes the viability of public policy and the legitimacy of our governmental institutions. The major lesson to be learned from our experience with abortion politics, unfortunately, is that we had to experience the debilitating effects of this long struggle in order to fashion a solution to the abortion issue which was so obviously indicated two decades ago—before the intrusion of the Supreme Court.

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TIME TO MOVE BEYOND AGONIZING

Catholic liberals & abortion

MARY MEEHAN

CERTAINLY PEOPLE should agonize over the abortion issue, but many Catholic liberals have agonized for years to no avail. They are paralyzed by indecision, unable to take sides and thus effectively removed from any role in the dispute.

Others have joined the pro-choice ranks, with no equivocation and apparently no regrets. These include many rank-and-file Catholics, some of the clergy, and a surprising number of liberal-Catholic politicians. Many pro-abortion victories have been due largely to Catholic leaders in the courts and in Congress: Justice William Brennan, the late Judge John Dooling, Jr., Rev. (and former Rep.) Robert Drinan, S.J., House Speaker Thomas O'Neill, Jr., Senator Edward Kennedy, Senator Daniel Patrick Moynihan, Senator Patrick Leahy, and others. Eleanor Smeal, President of the pro-choice National Organization for Women, is a Catholic. Robin Chandler Duke, President of the National Abortion Rights Action League, was "born Catholic" and received a convent education. Victories of the pro-abortion forces have not been caused by a Catholic plot, but a conspiracy nut could make a case for that suspicion.

There are, of course, liberal Catholics on the other side. Senator Thomas Eagleton, Rep. Mary Rose Oakar, and Rep. Lindy Boggs come to mind; and there are many others at the grass roots. But the pleas of pro-life liberals are often drowned out by anguished cries of indecision from some of their colleagues and pro-choice speeches of others.

People in the pro-life movement have been surprised, even scandalized, by this state of affairs. Abortion seems to us such a great wrong that Catholic liberals should oppose it resolutely, whether they approach it as Catholics, as liberals, or simply as humans. Yet many do not oppose it for a variety of reasons—emotional, political, intellectual. Some of these reasons have almost nothing to do with the abortion issue as such. They are like scraggly trees and bushes obscuring one's view of a house. Only if the underbrush is cleared away can one obtain a clear view.

I approach the subject with the perspective of an ex-Catholic, one who left the church about sixteen years ago, well before abortion became a major political issue. Catholic philosophy and ethics seem to me sound and admirable in most respects; yet my problems with Catholic theology are basic. All of this leads to viewing things Catholic with respect and affection, but with a certain detachment. At the same time, years of contact with liberal politics and with essentially secular people have given me another perspective that is useful in understanding the abortion issue.

The church/state problem is a large part of the underbrush surrounding the issue. Pro-abortionists argue that laws restricting abortion amount to an establishment of religion that is forbidden by the First Amendment to the U.S. Constitution. Although the federal courts are now rejecting this position, it still carries weight among liberals who think that religious belief is the primary (or even the only) reason for opposition to abortion. Thus Rep. Geraldine Ferraro (D.-N.Y.) told the House of Representatives in June, 1979: ". . . this country is based on a separation of church and state. As a Catholic, I accept the premise that a fertilized ovum is a baby. I have been blessed with the gift of faith; but others have not. I have no right to impose my beliefs on them."

Yet it is biology, not faith, that tells us that a fertilized ovum is the earliest form of human life. Biology does not deal with the theological concept of "ensoulment"; but it need not deal with that concept in order to reach conclusions about when human life begins. This point is basic to the entire debate over abortion, but is often neglected by Catholic liberals such as Rep. Ferraro.

Pro-life activists, by contrast, are careful to stress the non-religious grounds for opposition to abortion, even when they also oppose abortion for religious reasons. Juli Loesch, founder of an anti-nuclear weapons and anti-abortion group called Prolifers for Survival, says that it is the pro-choice people who make metaphysical statements about "potential life" and "meaningful life" and "personhood," while pro-lifers stick to "grubby little facts." Such facts include the time when the embryonic heart starts beating (three to four weeks of age), the time when the fetus has a clearly human form (seven to eight weeks), and the fact that abortion usually tears apart the body of a tiny embryo or fetus. If more liberals were to study embryology books, they would understand that the debate can be resolved without reference to theology. And since this is the case, restricting or banning abortion cannot fairly be called an establishment of religion.

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BUT THE church/state argument involves much more than this. Always lurking in the background, prompting the guilt at which Catholics excel, are memories of the Inquisition, Galileo's heresy trial, Bloody Mary's repression of Protestants, and other aspects of Catholic history that are less than edifying. One need not defend such things—they are indefensible—in order to say that Catholics are too sensitive about them. Surely their ancestors were not the only offenders. Historians could just as well speak of Bloody Henry and Bloody Elizabeth as of Bloody Mary. We Irish remember Oliver Cromwell. Marylanders know that their state's Religious Toleration Act was passed under Catholic leadership in 1649 and later repealed by Puritans, who then passed anti-Catholic laws.

Perhaps the Catholic historical memory of religious repression is like the American remembrance of the atom bomb. First use is a haunting memory, even when the guilt belongs to one's ancestors. This helps explain the instinctive defensiveness of Catholic liberals in the presence of Protestant, Jewish, and secular liberals. Many Catholics need to keep apologizing for their church—if not directly, then by being the first to attack any church official who questions liberal dogma.

Some pro-abortion leaders have played upon this defensiveness by suggesting that the right-to-life movement is a wholly-owned subsidiary of the Catholic hierarchy. Often their efforts have been intellectually dishonest. A 1977-78 fundraising flyer of the National Abortion Rights Action League (NARAL) was titled "Who Finances the Anti-Abortion Movement?" The flyer listed contributions of $500 or more to only one group—the National Committee for a Human Life Amendment. All of the contributions were from Catholic dioceses, which could hardly be surprising to the few people who knew that this group was established to act for the bishops. Most did not. By failing to list contributions to the largest anti-abortion group, the non-denominational National Right to Life Committee, and to other non-Catholic groups, NARAL left the impression that the movement is solely Catholic-financed.

Catholic-baiting by NARAL started long ago. It was, in fact, a conscious policy of NARAL founder Lawrence Lader. A former Lader colleague, Dr. Bernard Nathanson, quotes Lader in the early days of NARAL: "Historically every revolution has to have its villain. It doesn't really matter whether it's a king, a dictator, or a tsar, but it has to be *someone* . . ." Lader made it clear that he had in mind a special group of people. He explained to Nathanson:

> "Not just all Catholics. First of all, that's too large a group, and for us to vilify them all would diffuse our focus. Secondly, we have to convince liberal Catholics to join us, a popular front as it were, and if we tar them all with the same brush, we'll just antagonize a few who might otherwise have joined us and be valuable showpieces for us. No, it's got to be the Catholic *hierarchy*. . . ." (Nathanson, *Aborting America*, 1979, pp. 51-52)

Whether intentionally or by accident, Lader's strategy also capitalized on the anti-hierarchy attitudes of many Catholics. Largely because of the contraception dispute, many Catholic liberals had stopped listening to their bishops by the time the abortion issue came along. Others blamed the bishops for almost everything except bad weather. Attacks on the Catholic hierarchy by NARAL, instead of antagonizing the liberal laity, may have attracted them.

A number of liberal Catholics have joined NARAL's cause with a certain righteousness. Like the Pharisee in the temple, they say, "Oh, fellow liberals! We are not like these other Catholics—old-fashioned, rigid, obsessed with abortion, neglectful of thy teaching. We defend the right to choose, we give to the ACLU tithes of all that we possess, we castigate our narrow-minded Catholic friends . . ."

Catholic liberals want to be good liberals; they want to be accepted; they want to belong somewhere. This is a natural human tendency. But it may be especially urgent in those who are hanging onto their religious faith by their fingernails. It may also be strong in those who wear their Catholicism so lightly that they scarcely know it is there. Some are so politicized that liberalism has almost become their *substitute* for religion. This may be the ultimate idolatry.

No one should underestimate the social pressures for liberals to stay in line on the abortion issue. Most liberal publications and organizations support legalized abortion—often vehemently. The *Nation*, the *New Republic*, the *New York Times*, the *Village Voice*, and others keep up a steady drumbeat of support for the pro-choice position. Anyone who is on liberal mailing lists receives fundraising letters, from groups like the American Civil Liberties Union and the National Organization for Women, supporting legalized abortion and attacking the right-to-life movement. Last year liberals received similar mailings from candidates such as John Anderson and George McGovern. (An Anderson fundraising letter for the National Abortion Rights Action League referred to right-to-lifers as "anti-choice zealots," "the reactionary, right-wing axis of anti-choice forces," "extremists," and "bullies.")

Either in print or in person, a liberal may encounter sneering references to pro-lifers as "so-called right-to-lifers" or "friends of the fetus." (Similarly, segregationists in the 1950s used the epithet of "nigger lovers" to dehumanize both black people and white civil rights activists.) A liberal is likely to hear friends object to pictures of aborted children as something "in poor taste" or a "cheap shot." Undoubtedly some people reacted the same way to opponents of the Vietnam war who displayed photographs of children hit by napalm. Yet it seems to me that people should be willing to view the consequences of their actions.

THERE ARE also strong political pressures for liberals to stay in line. The left wing of the Democratic party is strongly committed to legalized abortion and to federal funding of abortion. The 1976 Democratic platform adopted the first position; the 1980 platform adopted the second as well.

Many Catholic Democrats discourage protests against the party line. In a devastating article in *Worldview* of March,

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1977, James Hitchcock showed how this was done in the presidential campaign of 1976. He concluded that "pressure on Catholics to fall into line politically came from two opposite wings of the party":

> The most articulate were clergy, many of them relative newcomers to politics and still flushed with the enthusiasm of untarnished idealism, who wanted the Catholic vote to be determined by position papers emanating from groups like Network and the Center for Concern. On the other side was Mayor Daley of Chicago, who, while paying his respects to Cardinal Cody, pronounced that "there are more important questions for the citizens of America than abortion." Both groups, for quite different reasons, had a stake in keeping Catholics as a safe delivery vote within the Democratic fold. Both discouraged the possible independent-mindedness of the "single-issue voter."

The scheme worked in 1976, but fell apart in 1980. Last year's election returns provided a strong pragmatic argument against the pro-abortion stance of the Democratic party. The abortion issue was an albatross for the Democrats; it contributed to a political disaster of major dimensions. It helped defeat Jimmy Carter, Birch Bayh, Frank Church, John Culver, Elizabeth Holtzman, Warren Magnuson, George McGovern, Gaylord Nelson, John Brademas, Bob Eckhardt, Frank Thompson, Al Ullman, and others.

But it should not take pragmatic arguments to convince Catholic liberals they should ignore. Democratic pressures to stay in line and support abortion. They should remember a scene in Robert Bolt's *A Man for All Seasons*, in which the Duke of Norfolk pleads with his friend Sir Thomas More:

> "Oh, confound all this . . . I'm not a scholar . . . frankly I don't know whether the marriage was lawful or not. But damn it, Thomas, look at those names . . . You know those men! Can't you do what I did, and come with us, for fellowship?"

More is touched by Norfolk's loyalty, but cannot give up his own integrity or sense of humor:

> "And when we stand before God, and you are sent to Paradise for doing according to your conscience, and I am damned for not doing according to mine, will you come with me, for fellowship?"

Catholic liberals who overcome the temptation to go along for fellowship must still face the other side of the coin: the problem of making common cause on an issue with Ronald Reagan, Jesse Helms, and other boogeymen. It stands to reason that the conservatives have to be right about *something*, if only because of the law of averages; but most liberals hate to agree with them on anything. Liberals are embarrassed to be found in conservative company; it just is not done.

Yet those who revere the Scriptures should remember that Christ accepted the company of many sinners: liars and prostitutes, adulterers, people who broke the Sabbath observance, possibly even reactionaries. Liberals should also consider the possibility that contact with conservatives can be educational. Rep. Henry Hyde (R.-Ill.), for example, in speaking against abortion, is making what may be the most eloquent civil-rights speeches of our day. Liberals could learn a great deal from him, if they would take the time to listen.

Some liberals delight in attacking conservative right-to-lifers for their inconsistency in supporting capital punishment and militarism—as though mistaken positions on those issues

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IS IT POSSIBLE that the abortion struggle is really one between two left-of-center groups? The very idea clashes with all our images of pro-life and pro-choice opposition, with all the impressions given in media reports and editorial columns.

And yet, after seeing data collected by Donald Granberg, a sociologist at the University of Missouri, I think we should at least consider the possibility. For some years, Granberg has been studying the relation of abortion attitudes to positions on other topics. Like other investigators, he has found a correlation between opposition to abortion and a cluster of "family" values, including approval of larger families and a more traditional outlook on sexual morality. He also found that acceptance of abortion correlated with a higher concern for civil liberties, while pro and con positions on abortion were strongly related to pro and con positions on the "life" issues of euthanasia and suicide. No real surprises, so far.

More recently, Granberg has turned from analyzing attitudes of the general population to studying those of pro-life and pro-choice activists. In June 1980, he surveyed about nine hundred members of the National Right to Life Committee and the National Abortion Rights Action League. In a forthcoming article in the *Christian Century*, Granberg discusses what the answer to ten of his questions suggest about the degree to which the contending groups are committed to some "overarching 'pro-life' philosophy."

Many readers of that article may want to challenge Granberg's interpretations. But his data are fascinating. On all ten of the questions, the pro-lifers' responses were more conservative—just as our stereotypes would lead us to expect. On two of these questions (concerning euthanasia and suicide), Granberg considered the more conservative position to be the more "pro-life" one. On two more questions (concerning motorcycle helmets and the death penalty), the slight recorded difference between the groups was not, in fact, statistically significant. Both groups—and this is what first stirred my curiosity—were dramatically more liberal on these issues than the general public—e.g., *twice* as opposed to capital punishment. On two of the remaining six questions, pro-lifers were more conservative than the national average—only slightly on gun control (63 percent in favor compared to a national average of 69 percent) and more distinctly on the issue of government action to reduce income differences (26 percent supporting such action to 44 percent of the general public). And on the

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disqualify them from defending the unborn. Logically, of course, the tables can be turned. They can ask whether liberals who support the violence of abortion should be respected on other issues. But these are negative and barren approaches. If only the innocent are allowed to speak on issues of life and death, then all such debates must be left to children.

A more positive approach was suggested by the late Lyndon Johnson when he was Majority Leader of the Senate for the Democrats and had to deal with a Republican president, Dwight Eisenhower. Johnson's approach was simple and effective: ". . . we prod him into doing everything we can get him to do, and when he does something good we give him a 21-gun salute."

After the salute, of course, it is essential to ask conservatives about consistency. How about the neutron bomb, the MX missile, Trident submarines? How can the possession, increase, and deployment of nuclear weapons be justified under any circumstances? Conservatives who respect life should be pressed hard on these questions.

But instead of accepting all of the Democratic candidates who come down the pike, liberals should start asking *them* some questions about consistency. Why can't we have more candidates like Mary Rose Oakar, who supports the right to life as well as a high "quality of life"; Thomas Eagleton, who has suggested that a Human Life Amendment should ban capital punishment as well as abortion; and William Proxmire, who is willing to stand up to the abortion industry as well as the Pentagon?

These liberals have not taken the easy way out advocated by Rev. Robert Drinan, S.J., former member of the House of Representatives and now president of the Americans for Democratic Action. Actually, Father Drinan has had several positions on government policy toward abortion; he moved from advocacy of restrictive laws (1965), to support for government neutrality (1970), to voting for government funding of abortion (1974). This calls to mind another scene from *A Man for All Seasons*, when Thomas More says to William Roper: "We must just pray that when your head's finished turning, your face is to the front again."

Father Drinan's middle position has had enormous influence on the views of Catholic liberals. In the late 1960s he began saying that, although ideally the state would ban abortion in order to protect human life, there was clearly a trend toward the state's permitting abortion in certain circumstances. Rather than having the state decide who should live and who should die, he suggested, it might be better to have the state withdraw from the abortion field altogether and leave the matter to individual conscience.

But as one critic noted, this position still involved discrimination. When the state withdraws, in effect it decides it will protect the lives of humans who have been born, but not the lives of the unborn. It decides to allow private killing of an entire class of human beings. The Drinan formula is essentially escaptist. It allows people to avoid messy reality, to wash their hands of the abortion issue, to feel that they can retain their own moral purity while allowing the deaths of the unborn.

It is difficult to understand why Drinan abandoned his first position, especially since as late as 1967 he said that "the right to be born and the right to exist constitute the cardinal principle and centerpiece of Anglo-American law." As a prominent lawyer, he was in an excellent position to make this point, and certainly his talents would have been welcomed by what was

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remaining four questions pro-lifers are either in agreement with the general public (13 percent of both favor decreased military spending, 77 percent of the pro-lifers support the 55-mph speed limit and 76 percent of the public), or are to the left of the general public (on requiring seat belts: pro-lifers, 77 percent in favor; general public, 17 percent; on using military force to assure vital resources like oil: pro-lifers in opposition, 71 percent; general public, 54 percent).

In sum, on only one out of ten questions were the pro-life activists distinctly to the right of the average American in a way that a liberal could argue was "anti-life." That was on the right-to-lifers' low support for government reduction of income differences. On two other questions, concerning euthanasia and suicide, neither of them outstanding *political* issues, the pro-lifers were definitely more conservative than the public but held the arguably "pro-life" position. On three more questions, the pro-lifers were slightly to the right of the average (gun control), slightly to the left (55-mph), or in exact agreement (decrease in military spending). Finally, on four questions (military force, seat belts, motorcycle helmets, and capital punishment), the pro-lifers were far more liberal than the average American.

Another of Granberg's findings, although not included in the *Christian Century* article, reinforces this pattern. Pro-choice activists were found to be more supportive than pro-life ones of civil liberties. This was as expected. But pro-life activists were still found to be more liberal on civil-liberties questions than the average American. (A measure of support for civil liberties, based on answers to fifteen questions, went: pro-choicers, 92 percent; pro-lifers, 72 percent; general public, 57 percent.)

None of this means that there are not deep cultural or moral differences between pro-life and pro-choice forces, divisions going beyond or underlying the immediate conflict over abortion. But if one defines conservative and liberal, right and left, by concrete political questions, then one discovers that this is a deep division *on the left*—a conflict between a group that is decidedly liberal or left (pro-choice) and a group that is moderately liberal (pro-life). If the right-to-lifers end up in effective political alliance with conservatives or even end up thinking of themselves as conservatives or certainly not liberals (which is, in fact, what happens), perhaps the problem is not be found in *their* political beliefs but in the inhospitable climate of liberalism. At least it bears thinking about.

PETER STEINFELS

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then a small and struggling pro-life movement. (He would still be welcome. There is room under the pro-life tent for everyone, and liberals are greeted with special warmth.)

Another lawyer, Rep. Henry Hyde, is truer to his profession when he tells the House that "it is the duty of this legislature to intervene on behalf of defenseless human life. If that is not so, I do not know why we need this building or why we need law libraries." The purpose of the law, says Hyde, "is to protect the weak from the strong. That is what the law is for. And I do not know anyone weaker or more voiceless or more defenseless than an innocently inconvenient human life."

Some Catholic liberals are attracted to a pro-choice position because of their interest in ecumenical ventures and their fears that Catholic opposition to legalized abortion endangers ecumenical progress. I suppose that it does, though I wonder what ecumenical progress is leading to, and what good it is, if it results in everyone's believing less and less about the things that really matter? If the main objective is to have all ecumenicists sound like utilitarian humanists, there are far easier ways to accomplish that than by holding endless interfaith dialogues. For starters, the participants could simply leave their respective churches.

More scandalous than sectarian divisions among religious people is the spectacle of religious support for abortion. The "Call to Concern" circulated by the Religious Coalition for Abortion Rights says that "we believe that abortion may in some instances be the most loving act possible." This seems to me a sort of madness—as does the contention of some theologians that personhood begins at birth. According to this theory, apparently, a fetus of eight months, born alive but prematurely, is a person, while a fetus aborted at eight months is not a person. It seems to me that Catholic liberals—whether speaking as Catholics, as liberals, or whatever—should challenge this irrational theory at every turn.

Instead of doing this, some Catholics engage in their own theological games, citing medieval theologians who thought that a male fetus became human at forty days, and a female fetus became human at eighty days. Those who accepted this theory (many did not) were simply following the faulty biology of Aristotle. What is the point of poking fun at medieval theologians and at the same time using their factual error (long since remedied by science) to support indecision on the abortion issue? We do not have the excuse of biological ignorance, and pretending that we do seems to me the worst kind of evasion.

In conclusion, a few words of advice to Catholic liberals from one who wishes them well:

- If you are going to be a Catholic, *be a Catholic*. Don't be ashamed of it; don't be half-hearted; and don't apologize. There is a great deal to be proud of in your tradition, and you should not underestimate it. The church's defense of human life today—against the violence of abortion and of nuclear weapons—is a magnificent continuation of that tradition.
- If you are going to be a liberal, be a liberal—but, please, not one of the knee-jerk variety. Question the infallibility of the ACLU and the Democratic party at least as much as you question the infallibility of the pope.
- Do not be intimidated or discouraged from speaking out on serious issues by mistaken arguments about separation of church and state. We need more free speech in this country—not less.
- It was the mission of monks in the Dark Ages to preserve a love of learning. Perhaps it should be your work, in unhappy and despairing times, to protect a love of life.

INTERVIEWS WITH RIGHT-TO-LIFE PIONEERS

Beyond the stereotypes

JAMES R. KELLY

RIGHT-TO-LIFE ACTIVISTS are commonly characterized as sectarian, morally naive, politically conservative, and best understood in the reductive social-psychological terms of "status politics." Examples are not hard to find. In a syndicated column written during the 1975 Edelin case, Harriet Van Horne described right-to-life activists as the same people who were "the hawks shrieking for blood in the dark days of Vietnam. They are tainted with death. . . ." She cited no studies linking pro-war and anti-abortion attitudes.

Even social scientists describing the right-to-life movement routinely lapse into pejorative language. "Zealot" occurs in Maris A. Vinovskis's analysis (*The Law and Politics of Abortion*, 1980) and "resentment" in Andrew Hacker's article in the September 1979 *Harper's*. Hacker wrote: "There is another reason for compelling the birth of a baby. It is a way to punish the mother. She has had her hours of pleasure and should be made to take the consequences, especially if those idylls were illicit." Roger M. Williams (*Saturday Review*, June 9, 1979) describes right-to-lifers as "implacable,"

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"nasty," full of "rationalizations," and "inflicting the sting of fetal politics." The problem, it seems, is not in the moral dilemmas of abortion, but in the misshapen psychologies of those oppsing abortion. We should think not about the difficult issues raised by elective abortion but how, in a democratic society, to best constrain the morally regressive, and perhaps psychologically troubled, right-to-life activists.

ARE THESE STEREOTYPES, so easily substituted for thought in this difficult controversy, actually true? Some analysis of survey data about citizens holding pro-life and pro-choice positions does exist, but little of it deals with activists. It seemed to me that there was ample room for more empirical evidence. The in-depth study of right-to-life activists on which I embarked nonetheless posed certain problems of method. My sample was necessarily small, but strategic, and its size made possible lengthy unstructured interviews which averaged three hours. The sample selection was appropriately random. (I knew no one in the right-to-life movement.) I used the New York City phone book to contact an activist (she ran a clinic offering alternatives to abortion) and a "snowball" technique was used to obtain the names of other activists. She and all subsequent interviewees were asked, "Who were the people active in the beginning of the right-to-life movement?" When a person was named by at least three interviewees that person was defined as a pioneer activist and subsequently interviewed. The selection process continued until no new names were mentioned.

The final sample comprised twenty-eight pioneers, fourteen men and fourteen women. Eleven were housewives, three were clergy (a priest, a rabbi, and a minister), three lawyers; one was a doctor, and the remaining ten had skilled rather than professional occupations (such as bus driver, printer, and secretary). Half had not attended college; all but four were married, averaging close to four children, and they were mostly in their late forties and early fifties. The sample can be described by those amorphous terms "middle" and "lower-middle" class in that they generally owned modest and mortgaged single-family homes. Apart from their right-to-life activism, they would be indistinguishable from their Brooklyn and Long Island neighbors.

Some obvious limitations about this sample should be acknowledged. It includes, deliberately, only "pioneers" or initiators in the movement. It is possible that others who joined—attracted to it for a variety of reasons—might answer my questions differently. And needless to say, studies done in other areas might yield somewhat different results. Still, it is not implausible to think that a study of right-to-life pioneers might yield some especially telling insight into the particular nature of the strong opposition to abortion which continues here and elsewhere.

Among the questions I asked was, Why had they limited their political activism to the single issue of abortion? Even otherwise sympathetic observers have criticized pro-life groups for being concerned only with the single issue of abortion and leaving unattended those causes associated with helping the already born, such as peace, poverty and similar efforts.

In answering the criticism that an authentic moral concern for human life could not be restricted to a single issue, the pioneers made three general points. First, they argued that abortion stops a human life and therefore is a unique issue, for the protection of human life must be the basic premise of any political legislation. Second, a single-issue focus on abortion is not only consonant with the *sui generis* nature of the issue, but it also protects the right-to-life movement from being absorbed by any political party. Unlike the Moral Majority, for example, the right-to-life movement takes no position on prayer in the schools, pornography, sex education, the Equal Rights Amendment, or military security. Right-to-life endorses liberal candidates, providing they oppose abortion. Finally, all of the pioneers observed that political success, which they defined as the passage of a human life amendment to the Constitution overruling the 1973 Supreme Court decision, would require a political coalition embracing many different political ideologies. As the housewife who was the Long Island-based Right-to-Life party campaign manager observed, "We're never going to win a roll call vote in Congress without getting moderate and liberal votes. If we are perceived as part of the New Right, or the right wing, or whatever, it will hurt us."

Besides explaining the single-issue focus of right-to-life as a kind of prophylactic against political absorption, the pioneers pointed out that it enabled them to prescind from issues which would surely fragment, and make politically impotent, a movement already divided on important aspects of the abortion controversy itself, such as the question of acceptable exceptions to a general prohibition of abortion. As one observed, "The issue brought people together who shared little else." Few of the pioneers in this sample knew each other before their involvement in the movement. They were allies, not friends, and they could not strain the alliance by seeking agreement on a broad range of moral issues.

WHILE THE PIONEERS give sensible answers to criticisms of of their single focus on abortion, much of the legitimate discomfit of its critics is surely related to the feeling that abortion cannot be humanely opposed without some corresponding attempt to deal with its causes. And while the right-to-life movement's narrow focus may be a political and organizational necessity, the question of the politics and moral consistency of its members remains a relevant issue. I asked each pioneer, "Wouldn't the de-legalization of abortion increase the welfare rolls and require increased government spending?" I also asked, "If abortion is not the solution to social problems, what is?"

Their answers to these questions, and to others, cannot appropriately be described by the usual political labels of conservative, liberal, or radical; they reflect, for want of a

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more precise term, an *unstructured populism*. Why do I use such an ambiguous phrase to describe the pioneers' politics?

First of all, the pioneers were by no means naive, moralistic, or inclined toward a "fetal sentimentality." All of them fully comprehended the varied tragic circumstances in which a woman might seek an abortion. All of the pro-life literature they gave me cautioned against judging the abortion-seeking woman herself. They readily agreed that it often required heroism for some women, especially the unmarried, to bring a pregnancy to term. I found among the pioneers no *"ressentiment"* nor any sentiments that those who engaged in irresponsible sex ought now to balance some abstract scales of justice by accepting the proper punishment of bearing an unwanted child. Their reactions were deeper and more complex. Their critique of elective abortion stemmed not from *ressentiment* but from an abhorrence of the nihilism they found implicit in such a solution to a woman's problems. Responding to a question about the plight of a poverty-stricken woman facing an unwanted pregnancy, one woman right-to-lifer answered: "I can't see if some woman is asking for help, for bread, and you and society, say, 'kill the next one.' " Another replied "The answer is not to decrease the number of guests at the banquet of life but to solve those problems. I think the human spirit and the human intellect have an infinite capacity to solve problems. Abortion is a ludicrous solution—look, for example, at New York City. Abortion has not stemmed child abuse, and the plight of the poor is unchanged."

Without exception the pioneers said that they would pay more taxes if the de-legalization of abortion resulted in higher welfare costs. "I'd rather pay for them [welfare children] than kill them," said a bus driver. "Maybe they'd contribute to life later on." Another remarked: "With all the money in this country, do we have to kill them? This is a place for creative minds to work and see what can be provided for these people." But she concluded this observation with a telling last sentence: "I don't have a solution but I can't think that there isn't a solution."

THE PIONEERS were far from locating their opposition to abortion in a comprehensive framework. They had not thought about politics and justice in any systematic way. In the interviews they always returned to two constants: first, that support for abortion morally disqualified any political candidate; second, if support for the unborn required increased taxation, so be it. But these answers do not go much beyond conventional welfare-state thinking. Only four pioneers said that their pro-life activities had pushed them to think more radically about politics and justice. One woman active in *Birthright*—a counseling center offering alternatives to abortion—said that it had become clear to her that the country "needs catastrophic medical insurance. I don't know," she conceded, "that much about national health insurance, but there has to be something for people who need it. We also need government intervention for retarded people—so that they can develop their full potential. We'd be surprised by what they have to offer."

A male pioneer, one of the few Republicans in the sample, said that his "involvement in right-to-life has been the greatest factor in producing good ambiguity in my conservatism. If pregnancy interrupts a woman's job, we must have a law allowing the woman to go back to that job. It [the right-to-life movement] has broadened my sense of social awareness. The highly individualistic conservatism has to be balanced with a sense of community."

Two male pioneers explicitly said their right-to-life activity had "radicalized" them. Both recalled that as young adults they had been "super-patriots." "When I was growing up," one reflected, "it was not my country right or wrong. My country was never wrong. I automatically enlisted in the service. Now I ask, 'Is any war justified?' This [abortion] awakened in me other things I never would have questioned. I remain a sort of Democrat—Democrats have good programs but no foundation based on respect for life. Someone could turn around and argue from expediency and cut funds for the retarded. But the more a person is in need, the more you should provide for them."

Another male pioneer spoke similarly of his "awakening." "Nowadays I'm not very patriotic. If my son were drafted I'd go somewhere else." His wife explained, "Before the abortion issue we didn't think about politics and patriotism so much. It bothers Bill seeing so many Catholics so super-patriotic. From grammar school on you had to prove to government that you can be a good Catholic and still be an American. It bothers me when we sing 'America the Beautiful' at Mass. If they want separation of church and state, let's go all the way."

There are, to be sure, potentially radical implications in the pioneers' arguments against abortion. Their basic principle, that all of human life deserves protection and nurture, even when uneconomical and inconvenient, logically assumes a communal ethic of mutual interdependence which the experience of daily life systematically contradicts for many people. A concern for the unborn child implies a concern for the born child and a parental ability to provide it some semblance of a secure environment.

THE PIONEERS CANNOT be called inconsistent on these points, although there is some question about the adequacy and comprehensiveness of their consistency. Still, they are far from being political conservatives. In fact, most are Democrats, or they were before they registered in the Long Island-based Right-to-Life Party because they found few Democratic candidates with suitable records on the abortion issue. They cannot be described as opponents of a "welfare state" ideology whereby government intervenes to help the failed competitors in the capitalist market. This point can easily be missed, for the pioneers frequently describe "liberals" who include abortion among social welfare measures with such pejorative phrases as: "arrogant"; "hypocritical"; "superficial"; "pragmatic"; and "self-defeating."

"How does it make sense," one pioneer asked rhetorically, "if a man is for civil rights but he wants to kill the person

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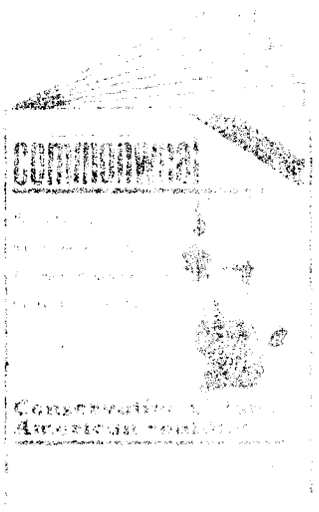

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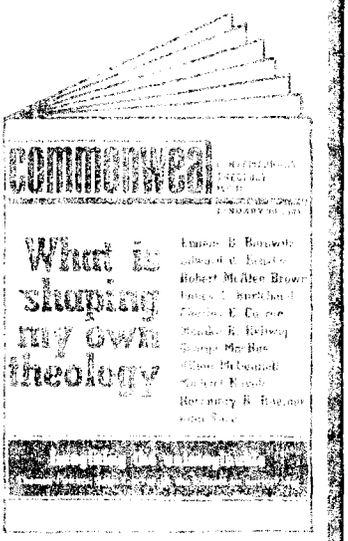

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THE LIFE LINE

LIFE, NOT CHOICE, IS THE ISSUE

IN *Catholics and American Politics*, Mary Hanna concludes that the abortion issue is merely the "tip of an iceberg of issues," the "iceberg" representing a greater, more basic perspective best described as the right-to-life. It is this fundamental stance, she further argues, that qualitatively defines and distinguishes the Catholic position. Professor John H. Fenton of the University of Massachusetts at Amherst, after reviewing Hanna's book for the *American Political Science Review*, decided to test "the notion that attitudes toward life represent a new cutting line dividing the electorate." Fenton's findings were presented at a conference of the Political Studies Association American Politics Group, held in Wales last January.

Data were readily available in the form of a 1978 study done by the National Opinion Research Center of the University of Chicago. Included in the NORC survey were questions dealing with abortion, suicide, euthanasia, and the death penalty. Fenton believed that the questions "seemed to provide the data necessary to test the hypothesis that positions on these issues are determined by one's attitude toward life."

Fenton used the "Guttman scaling" system in his study. Under this system, if a series of questions "scaled," the answers, in all probability, rested on a single dimension, or "line," representing a more fundamental stance toward the issue. For example, to measure a one-dimensional concept such as "height," the following series of questions might be designed: A. Are you 4 ft. tall and more? B. Are you 5 ft. tall or more? C. Are you 6 ft. tall or more? D. Are you 7 ft. tall or more? If one point is assigned to each "yes" answer, an individual's score would not only indicate his probable height, but would tell which specific questions he answered with a "yes." Since these questions measure a single dimension, height, the responses "scale."

The six abortion questions from the NORC study were tested to see if they scaled. The questions were: "Please tell me whether or not you think it should be possible for a pregnant woman to obtain a legal abortion . . . A. If there is a strong chance of serious defect in the baby? B. If she is married and does not want any more children? C. If the woman's health is seriously endangered by the pregnancy? D. If the family has a very low income and cannot afford the pregnancy? E. If she becomes pregnant as a result of rape? F. If she is not married and does not want to marry the man?" Responses to the questions scaled under the Guttman system, the questions ranging from easiest (most "yes" answers) to most difficult (most "no" answers). An individual score of two, for example, in 94 out of 100 cases, indicated "yes" answers to the two easiest questions, those concerning rape and the health of the mother. The abortion questions therefore measured a one-dimensional concept, one that might be designated "life." The suicide and euthanasia questions also scaled, further substantiating the existence of a "life line."

The question concerning the death penalty, "Do you favor or oppose the death penalty for persons convicted of murder?" did not scale with the others, indicating a new dimension at work in the responses.

Having proved the existence of a "life line," Fenton proceeded to test the contention of pro-choice groups that the real issue is not "life" but "choice." In their perspective, Fenton explains, "the pro-abortion, pro-suicide, pro-euthanasia people are not anti-life, but instead are pro-choice. And the anti-abortion, anti-suicide, anti-euthanasia people are not pro-life, but are anti-choice."

To test this "choice" hypothesis, Fenton selected questions from the NORC survey that seemed to imply the issue of choice in their responses. He chose questions on divorce, marijuana, premarital sex, and pornography. The responses to these questions were cross-tabulated with those of the "life line" to see if "choice," and not "life" was the basis for response. The "choice" questions did *not* scale, signifying that more than one dimension was involved in the questions. Fenton concludes that "no comparable scale of attitudes toward 'choice' exists that is one-dimensional and determines positions on questions where 'choice' is the issue." Fenton contrasts this position to what he calls "the *New York Times* stereotype." This stereotype depicts the "typical" pro-lifers as "religious fundamentalists, political conservatives, social racists, and single-issue voters." Fenton sets the data from the NORC survey against this popular perception of the pro-life movement and subsequently finds little truth in this stereotype.

The statistics showed both the pro-life and pro-abortion segments of the population to be very much alike politically, an equal number of each group defining themselves as liberal or conservative. There was no evidence to depict pro-life people as any more racist than their pro-abortion counterparts. The data on the religious affiliation and practice of the pro-life people, however, were significant.

Fenton's study designates the "life line" as a "new and important cutting line of the electorate," dividing Catholic Americans from secular Americans, and religious Americans in general from the less religious. This "life line" cuts across political party attachments and political ideology, resting instead on passionately held religious commitments and convictions. Fenton feels that Reagan benefited greatly from the "life" issue, "not because he is conservative and certainly not because he is Republican," but because he was the only presidential candidate who was "unequivocally and unambiguously pro-life."

BOB O'KEEFE

(Bob O'Keefe is a student intern at Commonweal.)

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before he gets his civil rights?" This pioneer—then a bus driver—did not trust "liberals" to truly represent the poor in American society:

> There's a great liberal slant in this country; it goes back to people like the Rockefellers—They want a certain way for the government to operate and people like us get in the way. They don't want people who question why and who can't be controlled. They get the poor dependent on their benefactions for food and trinkets. They'll finally eliminate the poor by saying, "If you don't have a job and you're pregnant you must have an abortion."

It would be fair to describe the pioneers as "economic liberals"—they explicitly endorsed the principle that government has responsibilities to lessen the grosser inequalities resulting from the insecurities of a capitalist economy. But they were not "social liberals." They did not endorse the laissez-faire principle that all questions touching on family life and sex were solely questions of personal taste with no politically relevant consequences. The pioneers' frequent criticism of liberalism should be understood in this context. Their description of "liberalism" differs from the self-understanding of those in politics who call themselves liberal as a way of signifying a special regard for those excluded from full participation in American life, such as the poor, minorities, and women.

For the pioneers, liberalism is closer to a managerial ethos based on expediency and resulting in client dependency rather than autonomy. When asked about the sources of the movement in favor of legal abortion, the right-to-lifers answered that much of its impetus stemmed not from compassion but from the powerful and the affluent who feared the political and economic implications of the fertility of the poor. "The poor need jobs and the rich offer them abortions," was a typical response." One woman said, "Right-to-lifers do what liberals talk about." She was referring to the extensive volunteer network of emergency pregnancy counseling centers which developed nationwide after the 1973 Supreme Court decision. They are staffed by volunteers, they train each other, and they depend entirely on donations. When necessary, they consult doctors, psychologists, and social workers, and these professionals also donate their services. For women seeking alternatives to abortion, the right-to-life movement has staffed from its own ranks a miniature, nonsectarian, voluntary, and personalist system of social welfare. It cannot be said that the right to life movement concentrates only on abstract moral principles completely severed from the needs of actual women burdened by an unwelcome pregnancy.

Among those I talked with there was certainly a recognition that opposition to abortion required a correlative affirmation of a more communal social order in which the poor, the unwed, the retarded, and the handicapped (and their parents) were not abandoned to their own slight resources. It is at least interesting to note that among the strongest supporters in the New York Senate for the recently approved increase in the state welfare grant were the Senate's acknowledged anti-abortion leaders. Senator James Donovan, the anti-abortion leader in the Senate for more than a decade, argued that without higher welfare grants, poor women would be more likely to seek abortions. "If we don't care about the truly needy, we promote an anti-life philosophy in our state," he argued. Making a logical connection between a principle and its policy implications is not a mental operation beyond the powers of most right-to-life activists. But the labels and social-psychological reductionism mechanically applied to right-to-life groups make such linkages appear politically impossible.

AT THE VERY least, my discussions make suspect the liberal left's quickly formed judgment that the anti-abortion movement represents a retrogressive impulse of lower-middle-class religionists seeking status affirmation in a world grown too complex to publicly mirror their moral traditionalism.

And one very pertinent final observation: During the interviews the pioneers had consistently described themselves as part of a "grassroots" movement, by which they meant they had received little help or direction from the usual community and church leaders. They had not previously thought of themselves as community leaders and they described themselves as reluctant and self-taught activists. With the obvious exceptions of the three clergymen and the three lawyers, the pioneers reported no previous experience in public speaking, lobbying, or politics. Yet they started local right-to-life chapters and even a political party.

During each interview I asked, What was special or different about you that made you become an activist? Although I became aware of it only late in my visits, many of the pioneers, it turns out, had an experiential basis for their strong emotional reaction to abortion. The finding was serendipitous. One of the last pioneers I interviewed had been talking about retarded children and she remarked: "There is a widespread feeling—a sentiment that they're expendable because they're not perfect. The reason it hit home is because I have a child who is mentally retarded." She then described the "old-timers" in the right-to-life movement as "pretty frequently" being parents who had handicapped children or who were people working in the health field with the handicapped or the elderly.

Prompted by her observation I reviewed the interviews and found that, excluding the clergymen and the two unmarried males about forty percent of the pioneers (9 of 23) had spontaneously volunteered the information that in their own families they had either a retarded child, or senile or handicapped parents; or that they had had a last trimester miscarriage which powerfully convinced them of the humanity of the fetus. At least for some, the strong personal reaction to abortion might be partially explained by their personal experience with extremely vulnerable forms of human life which now seem threatened by legalized abortion and its underlying principle. This finding might also explain the extraordinary persistence of many in the right-to-life movement even when it seems to others that abortion has become an irrevocable part of contemporary technological societies.

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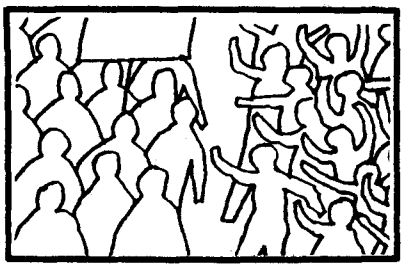

The search for an alternative

PETER STEINFELS

IT IS HARD to tell whether the present impasse over abortion will be lasting. At the moment both sides are in disarray. The pro-choice lobby has suffered a series of legislative and judicial setbacks, culminating in the election of a theoretically anti-abortion administration. The right-to-life movement, prematurely jubilant over the chances that a human life statute could use Congress's fact-finding power to do an end run around *Roe v. Wade*, has watched in dismay as (1) some of its stalwarts developed constitutional scruples and deserted the field; (2) the president appointed an ambiguously pro-choice, certainly not anti-abortion, justice to the Supreme Court; (3) the administration made clear that implementing Milton Friedman's notion of "freedom to choose" had priority over combating Planned Parenthood's. Right-to-life groups remain effectively organized to exercise political muscle. But they are not winning the battle of public opinion; indeed, as more women undergo abortions, or know those who have done so, the difficulties of arguing for a total ban will mount. Thus any victory the anti-abortionists win may be almost as "elitist" and at least as subject to public resistance and reversal as the 1973 pro-choice victory in the Supreme Court.

One would think that liberal Catholics might have a distinctive contribution to make in this painful and apparently irresolvable conflict. By "liberal Catholics" I do not simply mean Catholics who are left-of-center politically, although the greater portion of them are. Liberal Catholicism emerged from the realization that the old alliance of throne and altar corrupted religion and politics alike. But liberal Catholicism did not limit itself to church-state questions. It entailed a general appreciation, both in society and the church, of dissent, dialogue, and diversity; and — eventually — a recognition that many Catholic "absolutes" have been historically conditioned and often served institutional power rather than the Gospel.

There are at least two reasons why such an outlook could play a pivotal role in the abortion debate. First, from long immersion in church-state questions, liberal Catholicism forged a relatively sophisticated theory of law and morality, one that neither divorced nor equated the two. Second, while liberal Catholics refuse to treat traditional moral positions as beyond reexamination, they remain rooted in a philosophical tradition that rejects relativism and moral individualism. Morality is neither a matter of social conditioning, nor of abitrary "personal" opinion, nor of majority vote. Liberal Catholics cannot, like the Supreme Court or the pro-choice movement, slough off the issue of the moral status of fetal life as just too complicated to be considered.

IN FACT, liberal Catholicism has remained on the margin of the abortion controversy. Part of the explanation is historical. When the abortion issue surfaced in American politics, liberal Catholics were not only preoccupied with the war in Vietnam but also absorbed in the aftermath of the Vatican Council. Though the reaction in these circles to the repeal of abortion statutes and then to *Roe v. Wade* was negative, the reaction to the bishops' plans for a right-to-life campaign was even more negative. People who were disappointed in the church's implementation of conciliar reforms, and for whom the credibility of church leadership had already been sorely tested by *Humanae Vitae*, now saw the bishops embark on a course that promised to repeat many of the errors of the past. The fact that prominent segments of the nascent anti-abortion forces exhibited all the characteristics of past crusades against birth control, dirty books, and the Reds didn't help. Liberal Catholics said and wrote some extremely intelligent things about the abortion question in those early years, but already a pattern of detachment, if not embarrassment, had been established.

The fear that the right-to-life movement would harden resistance to reform and renewal in the church has been succeeded by the fear that the right-to-life movement is reinforcing political and social forces that liberal Catholics see as anti-life. The wariness remains. And yet I believe it is being counterbalanced by the increasing impatience many liberal Catholics feel at the tactics and rhetoric of the pro-choice representatives. It is disturbing when a grass-roots anti-abortionist denounces Bella Abzug not only for being pro-choice but for being "anti-family." It is equally, or even more, disturbing when a sophisticated newspaper like the *New York Times* publishes its umpteenth abortion editorial avoiding any discussion of the value of fetal life and thereby delivering its Olympian advice while begging the question at issue. Or when an article on right-to-lifers in *Mother Jones* resurrects

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the hoariest of nineteenth-century anti-Catholic canards, that Catholics don't really have to practice the morality they preach because they can always wipe their consciences clean in the confessional. Or when NOW and other pro-choice groups raise the alarm that the anti-abortionists are out to ban birth control. One could go on. Despite recent improvement, the national media have treated the pro-life position and the pro-life movement with obvious condescension and bias.

It would be too much to say that liberal Catholics have been moved *en masse* to root for the right-to-lifers, but at least a good number of them have had their sense of fair play and their natural identification with the underdog aroused by shoddy pro-choice maneuvers.

In the end, however, the character of both the right-to-life and pro-choice movements is a peripheral matter. The central issue remains the meaning of unborn human life. Can its destruction be justified? Who should decide, the individual mother or the society? As the increasing resort to abortion—one and a half million a year—mocks all the hopes that this would be an exceptional last resort, limited to tragic dilemmas, liberal Catholics have had to put aside their dissatisfaction with the contending armies and return to the basic questions.

WHAT THEY FIND, upon returning, is not reassuring. Abortion is surely becoming an alternative or "fall-back" form of birth control, with the statistics showing a sharp increase in repeat abortions. Rather than being isolated culturally as a "special case," abortion is now mentioned neutrally in everything from Sylvia Porter's *New Money Book for the 80's* ("How to Shop for—and Reduce the Costs of—an Abortion") to health and sex primers for teenagers. It is just another "option."

Will the logic of abortion, as anti-abortionists have always warned, further undermine what respect and protection we currently afford other human lives when, like the fetus, they are vulnerable, unproductive, and threatening to our psychic or material resources? It is hard to tell how slippery the slope is in America. Both practically and psychologically, abortion *has* opened the way to *in vitro* fertilization and sex selection, both on a small scale. It has become the conventional wisdom that a Down's Syndrome child should not be brought into the world, and cases appear to be multiplying where such children are not medically sustained *after* being brought into the world. Here the logic of abortion is indeed powerful: why hesitate to do to a newborn what one is willing to do to a well-developed fetus a few months earlier? (We can, of course, substitute the medical term "neonate" to reduce distracting emotions about this matter.)

But quite apart from worries about where the logic of abortion may lead, which depends on innumerable sociological factors, the logic itself does not withstand scrutiny. Not at least to those who morally reject infanticide. I do not introduce infanticide as a fright word. It is just that in their emphasis either on the woman's right to choose or on social, interpersonal, relational, and rational criteria for "humanness," pro-choice arguments almost always deny the fetus any moral standing in such a way that, except for sheer arbitrariness (and instinctive decency, one might add), moral status should also be denied the newborn. Those familiar with philosophical literature know that, logic being logic, defenses of infanticide are no longer uncommon. (Commenting on two of the more notorious such philosophical articles, published in *Philosophy and Public Affairs* in a scholarly journal with impeccable liberal credentials, Roger Wertheimer wondered why their work seemed unlikely "to create anything comparable to the public outrage generated by the now infamous work of Jensen and Hernstein" on race, class, and IQ. "Why not," he asks, "for their assault on the conscience and intellect of civilized people is surely no less brutal and blundering?" His answer: social scientists are taken seriously; philosophers—for good reason, he thinks—are not.)

Last January, the *Christian Century* published an article that aptly illustrates why liberal Catholics may be moving away from peripheral worries to the central issue. It was not by some hawkish population controller but by the distinguished philosopher Charles Hartshorne. Hartshorne set out to refute the "fanatics against abortion" with the familiar argument that a fetus is not an "actual person" because it lacks "the quality that we have in mind when we proclaim our superior worth to the chimpanzees or dolphins. It cannot speak, reason or judge between right and wrong. It cannot have personal relations, without which a person is not functionally a person at all." Hartshorne is too conscientious to ignore the objection that an infant does not possess these capacities either. His answer is blunt: "Of course, an infant is not fully human. . . . I have little sympathy with the idea that infanticide is just another form of murder." There may be good social or symbolic reasons for not killing infants but since the infant cannot claim equal rights with "already functioning persons," such killing is not "fully comparable to the killing of persons in the full sense." Hartshorne extends the same distinction to the killing of "a hopelessly senile person."

One can even grant this argument some plausibility. We do not think as badly of primitive societies that practice infanticide as we do of those that practice human sacrifice. We do not think as badly of societies that put their burdensome old folks on ice floes as we do of those that regularly slaughter adults in warfare. But that does not mean we want to slide merrily back to that state of things. People who are angered by glib talk of the "truly needy" cannot rest easy with the recent discovery of the distinction between the human and the "truly human."

In the light of pro-choice rhetoric and pro-choice principles, for many liberal Catholics the oversimplifications and insensitivities of the right-to-life movement no longer loom as large as they once did. But liberal Catholics still remain betwixt and between. On the one hand, they are "personally" opposed to almost all abortion and further reject the idea that abortion-on-demand be accepted as the social norm. On the other hand, they are unhappy with the right-to-lift alternative, a constitutional amendment declaring all unborn life inviolable from conception.

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IF LIBERAL Catholics are going to make a difference in the struggle over abortion, there are two steps they must take. Each involves a break with one or the other side, at least as the dispute is now constituted.

The first step is to give up the idea that this issue can be resolved without legislative restriction on abortion. I have in mind various "compromise" positions that some liberal Catholics have found attractive. In one version, for instance, abortion is to be condemned by the churches (but not too harshly) and deplored by the culture. In a second version, extensive social efforts to assure job opportunities and provide child care are added to cultural disapprobation in order to encourage the pregnant woman to carry her child. In no case is abortion finally disallowed for any woman who seeks it, nor funding for abortion denied any woman who needs it.

The psychological assumption behind these schemes is that women naturally find abortion so painful and morally ambiguous that a religious or cultural reminder—or the provision of real support for childbearing and child-rearing—will suffice to dissuade from abortion almost all but the genuinely tragic cases. This psychological assumption, I suspect, may be a projection of the moral and generative sensitivities of those who make the argument. What they assume is quite likely true of most women; what they are unwilling to face is the strong evidence that millions of women simply do not feel this way. Instinctive rejection of abortion does not prevent them from returning, perhaps with regret, though often, too, with a good deal of self-righteousness, for one, two, three abortions. And while equal life opportunities for women—and vastly strengthened social supports for child-raising—are a crying need quite apart from the abortion question, it is hard to imagine any such system that could move either the trivially motivated woman or the seriously burdened and tested one to prefer lifelong responsibilities to a clinic visit and a ten-minute procedure.

What merit there is in these schemes rests on the hope that psychological or social incentives can allow cultural disapprobation of abortion to coexist with a completely noncoercive legal treatment of it. Whether other societies have been capable of maintaining a strong disapproval of some practice without in any way institutionalizing that disapproval in law or social sanctions, I don't know. This society certainly is not. These days our pluralism itself, combined with the pressures of a homogenized national culture, results in the boundaries of morality being largely marked out by the boundaries of the law. To believe that this society can effectively insist on the value of fetal life while refusing to restrict legislatively any assault that a woman may choose on that value, is to indulge in sociological fantasy. Preachment will gradually fall in line with practice.

"Would you then use the law to *force* a woman to carry through a pregnancy to term?" That is the challenge liberal Catholics must be willing to face if they are to make any difference at all in the moral controversy. Their answer will have to "Yes." Not for every pregnancy (we'll get to that), but for many pregnancies, yes.

> THE CHOICE TODAY is between living under the Supreme Court's ruling and attempting to overturn or modify it in order to enact moderately restrictive abortion laws. There are two messages conveyed to society under the Supreme Court's ruling. The first message, conveyed by the hundreds of thousands of unrestrained abortions . . . is that human fetal life is of little or no value and that respect for human life itself is in question. The second message is that almost all abortions are legally and morally respectable because a person's constitutional right to terminate a pregnancy outweighs the claims of the fetus.
>
> The message of moderately restrictive abortion laws, in contrast, would be that the fetus is entitled to the protection of the law, that abortion should be restrained, not encouraged, by our society, and that abortions are a grave matter, not to be undertaken at the whim of any person. . . . If in a stricter moral view all abortions are a grave injustice . . . still it may be possible to reduce the taking of human fetal life and to utilize the law as a symbol that fetal life has a claim to our protection.
>
> Daniel A. Degnan, S.J.
> *Commonweal*, May 31, 1974

Giving that answer will not be easy, especially for Catholic feminists, both male and female. They are justifiably alert to see in any legal coercion of women not the restraints that all members of a reasonable society must submit to, but an extension of the special fetters and disabilities that have historically been inflicted on women. All the more so since pregnancy is not a condition that affects men except indirectly. And sharing a struggle on so many other fronts, Catholic feminists will be loath to break with allies on this point. Nonetheless that is exactly what they will have to do if their often stated opposition to abortion-on-demand is not to equal a mere verbal protestation.

IF THE FIRST STEP requires liberal Catholics to disagree frankly with the pro-choice forces, the second step requires them to do the same with the pro-life movement. Anti-abortionists may be divided on what exceptions to tolerate in a ban on abortion, but they are virtually united on insisting that conception is the decisive moment which should trigger the law's protective shield. Thus the two alternatives: *Roe v. Wade* or a constitutional amendment prohibiting abortion at every stage.

The prudential argument against such an amendment has been made—that it so far departs from public opinion as to risk non-enforcement, bringing the law into disrepute while putting abortion itself into a shadow area where grave abuses are likely to occur. The historical test case is Prohibition.

This prudential argument is impressive. There is little doubt that the same citizenry which has resisted *Roe v. Wade* is even more opposed to banning abortion from conception. Americans, Catholics included, overwhelmingly support abortion when the mother's health (not specifically *life*) is endangered;

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and, again Catholics included, they support abortion in the first trimester. It is unlikely that a human life amendment would pass; if it somehow passed, it would create martyrs who would find ready public sympathy. The end result would be the certain identification of the pro-life impulse with heartless coercion.

Blocking the search for another solution, however, has been the anti-abortion movement's insistence that there can be no compromise on a matter of human life. The fact that only a minority of their fellow citizens share the pro-life position in its entirety is no more relevant than that a minority of Germans opposed Hitler or that a minority of pre-Civil War Americans followed the Abolitionists. To accept anything but a nearly total ban on abortion would be to surrender the very principle of human life at stake and to become complicit with an evil program of extermination. It would be like going halfway with Hitler—a Semi-Final Solution, the right-to-lifers might say bitterly.

It is at this point, I believe, that liberal Catholics must intervene. They must say quite frankly that *the moral status of the fetus in its early development is a genuinely difficult problem*. It is so *of its nature*, as a unique and boundary-line situation, and not because of the blindness or self-interest of those examining the problem.

It should be understood exactly what kind of a challenge this is, and is not, to the dominant position of the right-to-life movement. Just as the pro-choice movement seems utterly oblivious to biology in discussing (when it does) the issue of "humanhood," the right-to-life movement is naively overconfident in its belief that the existence of a unique "genetic package" from conception onwards settles the abortion issue. Yes, it does prove that what is involved is a human individual and not "part of the mother's body." It does not prove that, say, a twenty-eight-day-old embryo, approximately the size of this parentheses (—), is *then and there* a creature with the same claims to preservation and protection as a newborn or an adult.

I am *not* saying that the anti-abortion argument, with its appeal to potentiality, is untrue. In many respects, I find it persuasive. But it is much less persuasive than most anti-abortionists themselves believe. The theologians and philosophers among them have always recognized these difficulties—and fall back on taking the "safer" course in case of uncertainty.

Argument in this area always proceeds by analogy. We analogize from the end of life to the beginning of it. We analogize from the potentiality of an infant or a sleeping person or someone in a reversible coma to the potentiality of the unborn. We analogize from the physical structure and organic integrity of an adult to that of an embryo or fetus. We analogize from the uncertainty of a hunter who doesn't know whether that moving creature in the bushes is a child or a dangerous animal to the uncertainty we face contemplating the unborn life. Philosophers defending abortion have resorted to the most fantastic analogies yet—"thought experiments" involving Martians, violin players mysteriously hooked without permission to someone's circulatory system, or kittens injected with a chemical so that they develop human brains.

All of these analogies are meant to bring what is obscure and unique into the realm of the visible and more familiar (although one doubts that the last category accomplishes this). But all fall short in this effort, some much farther than others. We are left with a large area where we feel our way, relying on imagination, intuition, and a sense of appropriateness as much as on logic. Although it is not *logically* impossible, for example, to consider the great number of fertilized eggs that fail to implant themselves in the uterus as lost "human beings," a great many people find this idea totally incredible. Similarly, very early miscarriage does not usually trigger the sense of loss and grief that later miscarriage does. Can we take these instinctive responses as morally helpful?

THE DEBATE about fetal life always reminds me—I swear—of a Dr. Seuss story called *Horton Hears a Who*. The protective elephant, Horton, rescues a civilization of tiny creatures (the "Who") in a series of wild stanzas each ending with the refrain, "A person's a person no matter how small!" But the endangered creatures Horton saves are, of course, exact but miniscule versions of people—at least grown Dr. Seuss people. I have the impression that the clarity of the anti-abortionists' position rests on an image like that—a homunculus, or at least a microscopic baby, inhabiting not the head of the sperm as in medieval lore but the changing shape of the embryo and fetus. It is such an image that provides the emotional force for analogies to Herod's massacre of the innocents or Hitler's extermination of the Jews.

Such an analogy as the latter—whatever else may be said about its uses and abuses—springs from a neglect of biology as great as that of pro-choice advocates who claim the fetus is "part of the mother." It is simply *not* the case that a refusal to recognize Albert Einstein and Anne Frank as human beings deserving of full legal rights is equivalent to a refusal to see the same status in a disc the size of a period or an embryo one-sixth of an inch long and with barely rudimentary features. The old theories of delayed animation and "formed" and "unformed" fetuses may have been based on bad biology. But it seems to me they were also based on a powerful intuition: that what a thing really is corresponds somehow to an overall physical configuration. Thus Dr. Maurice Mahoney of Yale's medical school, who is surely aware of the "genetic package" argument, testifies, "For me, humanness requires that some process of development has taken place which gives the embryo a human form, so that it has a nervous system, a heart and circulatory apparatus, and indications of human shape."

As a Catholic confronting this question, I am not, to be sure, an isolated moral ponderer. Popes, episcopal conferences (Belgium, Italy, Switzerland, Scandinavia, Germany, Quebec, the U.S., France), and theologians have reached a remarkable consensus on the obligation to protect human life from its earliest stages. I am impressed not only with the multiple sources of this agreement but with the general moral sensitivity to related social questions that marks many of these

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statements. I cannot, however, expect my fellow citizens to appreciate the weight of this testimony as I might. Perhaps someday a combination of philosophical argument, moral credibility gained on other issues, and behavior that proclaims the sanctity of human life at every stage could persuade the majority of Americans to accept the current anti-abortion position. At the present time, I believe the force of differing moral intuitions should be recognized. Liberal Catholics who oppose abortion-on-demand should strive for the protection of unborn life not from conception but from that point when not one but a whole series of arguments and indicators have converged to support the "humanness" of the unborn.

THE GOAL, in sum, should be the prohibition of abortion after eight weeks of development. At this point, when the embryo is now termed a fetus, all organs are present that will later be developed fully, the heart has been pumping for a month; the unborn individual has a distinctly human appearance, responds to stimulation of its nose or mouth, and is over an inch in size. Electrical activity in its brain is now discernible. As Jerome Lejeune noted before a Senate hearing, at this point "with a good magnifier the fingerprints could be detected. Every document is available for a national identify card."

The argument is not that this is the "magic moment" when "human life begins." The argument is rather that this is one moment when an accumulation of evidence should compel a majority, even in a pluralist society and despite whatever obscurities about early life continue to be debated, to agree that the unborn individual now deserves legal protection. After this point, abortion could be permitted only for the most serious reasons: endangerment of the mother's life or risk of her incapacitation. "Mental" illness (likelihood of suicide or institutionalization) should not be disallowed as though it were not "real," but the decision-making mechanism has to be one of assured integrity because such indications are undeniably more subjective.

Such should be the minimum national policy, established if necessary by constitutional amendment. States should have the freedom to enact stricter restrictions if they chose. Thus the debate about life from conception would not be foreclosed.

WHAT, IN PRACTICE, would such a prohibition accomplish? On the face of it, it would prevent fewer than half the current abortions. The 1977 figures showed fifty percent of abortions taking place before the end of the eighth week. Another twenty-five percent or so take place in the next two weeks—and the pressure of a legal time limit would probably mean many of these would be obtained earlier. Still, to those who believe, as I do, that later abortion is a greater evil and a much greater challenge to our standards of protection for human life, such a measure would make a great difference.

Such a measure would also *lead*, not follow, public opinion. It would be a decisive step back from *Roe v. Wade*, and it would put the lie to the notion that widespread abortion is an inevitable part of modern "progress." By declaring the legal inviolability of the greater part of fetal life, and by leaving open to states the possibility of defending the rest, such a prohibition would be a statement about the seriousness and moral precariousness of abortion at any stage.

No one knows whether a ban like this could be successfully legislated, but the chances are certainly far higher than for the current right-to-life proposals. Its advocates would not be burdened with charges about the IUD or rape. It would be utterly clear that they were not insisting that any church's moral code be fully translated into law. They would represent reasonable compromise; the defenders of abortion-on-demand, the extreme.

Furthermore, such a proposal could be enforced without self-destructing. Those claiming to be conscientious in seeking abortion can be presumed to have made use of the leeway it allows. In any case, the emphasis of enforcement can be much more easily, as well as justly, placed on the tangible reality of the heart-beating, brain-active, human-featured fetus rather than on the subjective issue of the mother's motivation, whether it be serious or trivial or anywhere in-between.

Although the notion of a ban on abortion after eight weeks will be rejected and even derided by many anti-abortionists, it is not to convert them that I advance the proposal. Despite their recent gains, it is still the regime of *Roe v. Wade* that we live under. Public opinion and elite opinion-makers are still massively opposed to outlawing abortion from conception—and so fall into line, for want of a rational alternative, behind abortion-on-demand. It is to this audience that the possibility of an alternative must be presented. For liberal Catholics, that means—

- They should take every opportunity to voice, without hesitation or embarrassment, their disagreement with *Roe v. Wade* in liberal milieus, and insist on the need for an alternative that is not so blatantly neglectful of the reality of fetal life. They should protest the distortions of the abortion issue and of anti-abortion concerns now being strenuously propagated by Planned Parenthood, the American Civil Liberties Union, the National Organization of Women, the Protestant and Jewish bodies gathered in the Religious Coalition for Abortion Rights.
- If Democrats, they should lobby for the repeal of that party's platform support for abortion and its funding. At the same time, they should make it clear that they utterly reject the belief of some centrist and conservative Democrats, that the party should draw back on a host of other welfare-and-human-services commitments.
- Finally, they should find a way to articulate the kind of prohibition suggested here in legal form and have it entered into the lists in Congress. If the "federalist" amendment supported by Senator Hatch should succeed, then an eight-week prohibition should be a proposal backed in many states.

We cannot rest with the two alternatives of *Roe v. Wade* or a ban on all abortion from the time of conception; the former is morally intolerable; the latter, politically and socially impossible. Liberal Catholics cannot let the present dominance of those alternatives be an excuse for abdication.

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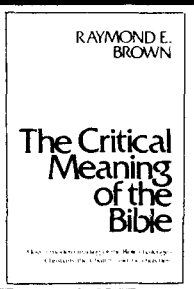

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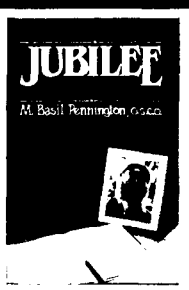

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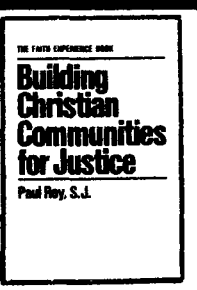

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Screen

MYSTERY OF ANTONIONI
STILL ON THE EDGE

1960 WAS an *annus mirabilis* for the movies. The New Wave continued to build in France, Godard and Truffaut both following their extraordinary debuts the year before with new films—*Le Petit Soldat* and *Shoot the Piano Player*—that confirmed their international importance as directors. In America, Hitchcock released *Psycho*, a movie that was to have as much impact as what the French were doing, and whose use of techniques adapted from television was in its way just as revolutionary. And perhaps most stunning of all, an Italian director, Michelangelo Antonioni, burst upon the international scene with a feature called *L'Avventura*.

With so much going on that was unprecedented and would clearly be influential, it was as if the time demanded someone with a new comprehension of movies, a thinker with a large vision who would be able to grasp the historical and aesthetic significance of what was happening. Antonioni appeared to be that person. *L'Avventura* showed him to be a metaphysician, a philosopher as sensitive to the nuances of modern feeling as he was to the technical possibilities of sound tracks, an innovator who could leap ahead in the argument that the history of the movies was working out, and who was not afraid to leave the audience behind, if necessary, in order to pursue the kind of wild, original ideas for which the time seemed so ripe.

That was over two decades ago. Antonioni is now nearly seventy years old, and the times don't seem so propitious for revolutionary new ideas. Yet his most recent movie, *The Mystery of Oberwald*, which premiered here at the New York Film Festival, demonstrates that he is as daring, as original, and as advanced a thinker about film as he ever was. Since Antonioni is an imperious, at times arrogant man, as aloof from public reaction as his camera stays from his characters, he may be taking some perverse satisfaction in the bad reception *Oberwald* has gotten. (The American press has ridiculed the film so thoroughly, I'll be amazed if it gets a run even in the art houses. As of the Festival, it had no distributor.) *L'Avventura* was also hooted and jeered when it was shown for the first time at the 1960 Cannes Film Festival. In light of that experience, Antonioni might be justified now to take the poor response to *Oberwald* as a good sign. It is an indication that he remains in the *avant-garde*, out on the edges of the medium's potential, beyond the limits of the contemporary audience.

That that's where he wants to be is suggested by the fact that he didn't make *Oberwald* on film. He shot it on videotape and then transcribed it. Indeed, he took the opportunity to experiment with the full range of visual effects that video makes possible. He sat at an editing table and played the video medium like a genius of baroque music at the keyboard of his organ. The most startling thing he did was to refuse to be limited by videotape's rather narrow properties. Used under carefully diffused light, videotape develops even more lush, saturated colors than the richest color film stock. But when exposed to extreme lighting conditions, like sunlight, videotape has very harsh contrasts and the color becomes difficult to balance. Video has in general a potential for color aberrations and garishness that television productions take care to avoid. What makes Antonioni's use of video striking is that these are precisely the qualities he has explored and emphasized. It is as if he were accepting a given level of ugliness and vulgarity as an irreversible condition of modern life, and he insists on making his art out of that instead of resorting to archaic ideas of what is beautiful.

There is a certain obstinacy in Antonioni's use of videotape, which is the aspect of *Oberwald* that has most offended reviewers. However obstinate Antonioni may be, though, he is not merely arbitrary. There is an aesthetic purpose to his use of videotape, for at the same time that it is a way to project the visual future, it also allows him to work his way back into the past. *Oberwald* is loosely based on a Cocteau play whose title, *The Eagle Has Two Heads*, already suggests the Janus-like vision of the film. (Cocteau himself did a movie adaptation of the play in 1948, but I've not seen it.) The title refers to the imperial eagle, and the play concerns a nineteenth-century queen (Monica Vitti) who has sealed herself off in her mountain retreat to mourn her long-dead king. Into her chamber on the anniversary of his death steals a would-be assassin, Sebastian (Franco Branciaroli), whose resemblance to the king—he appears from a secret passage behind the king's portrait, as if he were a male Galatea brought to life by this female Pygmalion—prompts the queen to fall instantly in love.

As even this brief outline reveals, the plot is a heavily Romantic one. What Antonioni does with it is to make his film a remarkable meditation on Romanticism itself, or rather on the nineteenth century, whose origins were in the Romantic movement. The film begins, literally, in *Sturm und Drang*. Sebastian is being pursued through a violent thunderstorm by soldiers who have wounded him. Taking refuge in the castle, he emerges from behind the portrait and thereby inflames the passions of the queen. But then her attempts to conceal and protect him are increasingly compromised by her retainers. In effect, Romanticism gives way to *Realpolitik*. The original passion becomes mired in intrigue, power struggles, doubt, mistrust. It's the story of the whole nineteenth century acted out on a single stage.

One way or another, all modern art has resulted from the failure of Romanticism. As a consequence, Romanticism itself has been for us unapproachable, unrecapturable. No medium has proven this more painfully than the movies, during the days of the silent screen. Its high melodramas were a last gasp of Romantic fervor, a final vulgarization of Romantic agony and ecstacy. The vulgar colors in which Antonioni tells his story are a kind of acknowledgment of Romanticism's fate in our time. They are an expression of Antonioni's own historical

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awareness, an admission that you can't go home again.

They also seem to be a direct reference to the silent screen, whose conventions included color tinting as a code for emotions. Tinting began simply as a way to indicate time of day, night scenes being given a blue cast so the audience would know that it was night. But gradually blue came to mean a love scene as well, while red might be used for anger, etc. Antonioni's use of color filters makes a witty allusion to such conventions. At times characters move around in private envelopes of color, so that, for instance, a blue queen might be talking with a green Sebastian. The monotones isolate the characters in their absoluteness, in the Romantic purity of their emotions.

On the one hand, all the electronic tinkering is a way for Antonioni to keep his usual distance from his characters. No modern audience could identify with these Romantic types anyhow, and the garish color concedes the fact. It gives us something visible to be alienated from. But on the other hand, by being a proper analogue for extreme emotions, the extreme color is also sympathetic to the story in a sense. It is a primitive image that fits primitive Romantic feeling. While it is a parody of the silent screen, it is also an homage to the nineteenth-century's own mass imagery. Over-saturated in some scenes, the color becomes desaturated in others, and takes on the look of a mezzotint. In places it looks as if Antonioni has transcribed his videotape by filming it right off a television monitor. The TV scan lines are clearly visible, and give the image even more of the appearance of nineteenth-century engraving. They make the image cruder and more primitive, yet refine it, too, enriching the historical associations it carries.

Maybe it's just that I'm the right audience for this movie. If so, I'm the only person I know who is. I've spent a good deal of the last year thinking about the nineteenth century myself in conjunction with a book I'm writing on the history of photography. And last summer, also in connection with photography, I made a television program that was shot on videotape. Maybe these coincidences just prepared me to look at *Oberwald* in a unique way. But I don't think that's it. I think the reason I respond to this film is that Antonioni has a great and rare gift for *thinking* in images. It's true that looking at still photography encourages metaphysical reflection, as Antonioni demonstrated himself in *Blow-Up*. It's possible that I was attracted to the subject of still photographs because my mind is, like his, predisposed to work in that way. Even if that's so, though, it doesn't detract from *Oberwald*'s originality and visual complexity. It only means that I was lucky enough to be in a position to appreciate them.

COLIN L. WESTERBECK, JR.

Books: PHILOSOPHERS VS. THE FAMILY

THE FAMILY ON TRIAL
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Philip Abbott

Pennsylvania State Univ. Press, $16.75, 230 pp.

Jean Bethke Elshtain

THIS is a splendid book, lucidly written and boldly argued. Abbott brings coherence to a debate — the family as a 'political problem' — more often characterized by mean-spirited *parti-pris* or abstracted model-building than by philosophically sophisticated decency and concern for the future of those real human beings who inhabit families. Today the family — its fate, its future, its demise, or its possible rebirth — is a ubiquitous topic which leaps at us from the pages of newspapers and popular magazines, forms the subject of endless workshops, symposia, clinics, retreats, and conferences, and has become a veritable research industry. The federal government and various foundations have poured hundreds of thousands of dollars into research projects on such matters as child abuse, spouse abuse, effects on the family of dual-career parents, the family and the newborn, the family and the elderly, the family and mental illness, the family and the developmentally disabled, the family and teenage sexuality, the family and divorce, cohabitation, child-'free' marriages, postponed pregnancy, role reversal and the family, effect on the family of changing demographic patterns, inflationary pressures, and chronic illness: there is no end in sight. Unless, Abbott worries, it is the end of the family itself, for the furious flurry of concern scarcely disguises, in his terms, an "attack on the family in modern political thought" which "has been sweeping and unremitting." He continues: "Although the critiques vary in their intensity, dissatisfaction with the family is nearly universal in modern political thought — so much so that the family as an institutional form has come to be regarded as one of the central problems of political philosophy."

One of Abbott's key questions, then, is how the modern family is treated in political theory. He takes up the problem beginning with the "extreme rational individualism of Thomas Hobbes" and pursues it through the somewhat 'softer' rational individualism of John Locke, the romantic individualism of Jean-Jacques Rousseau, the romantic collectivism of Charles Fourier, the rational collectivism of Karl Marx, and that complex blending of demystification and traditionalism he calls the "psychological conservatism" of Sigmund Freud. The work of each of these vital thinkers is assayed for its understanding of the nature of the family and the relationship of the family to the political order. The impact of each thinker's "reconstruction" or "deconstruction" of the family on subsequent thinkers, epochs, and the people whose lives have been structured, in part, along lines they set is then evaluated.

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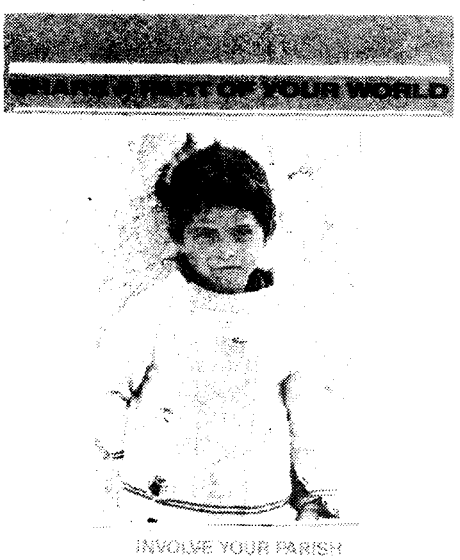
No quick summary can do justice to the lean richness of Part I of Abbott's discussion. Two brief examples must suffice: Hobbes reconstructs the family along the lines of a rational individualism fueled by crude exchange and power considerations. In order that the family not pose a threat to political order he must first reconceive the family as an anarchic 'society,' having no intrinsic bonds that unite its members to one another in order that he can than put it back together under his terms: a set of rational considerations under which lies fear. Just as the wider polity requires an all-powerful *pater familias* to keep order ("an insurance agent with a gun," in Abbott's wonderful phrase), the family, too rests solely upon brute power and strategic considerations.

Or, Marx and Engels portray the family as a "dependent institution," one which transmutes in precise lock-step to transformations in the mode of production. They go on to reduce the family to the male-female dyad. All vital family responsibilities involving children are turned into public affairs — matters for the public world to handle. Child-rearing is collectivized; indeed, such collectivization is a precondition for the true emancipation of the male-female pair. Parenthood ceases to exist; the parental bond disappears. In this manner, Marx and Engels are among the precursors of modern moves to abolish childhood. Abbott argues, for beneath much of the current language of "liberation" and "the self" lies an attempt to "free individuals from the burden of parenting." Abbott means none of this in a dour, "you-are-not-doing-your-duty" fashion. Instead,it is with a keen and skeptical eye fixed to the self-servingness of much of the hoop-la about "abolishing childhood" (for the good of the children, of course) that he moves into considerations of an epoch, our own, powerfully shaped by the voices from the past who have spoken to us of the family and bequeathed to us a heritage profoundly suspicious of the family *in the name of* ostensibly 'higher' goals (political order, political justice, the new Communist society).



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> *There are very few general laws of social science but we offer one that has a deserved claim:* The restriction of the concept of humanity in any sphere never enhances a respect for human life. *It did not enhance the rights of slaves, prisoners of war, criminals, traitors, women, children, Jews, Blacks, heretics, workers, capitalists, Slavs, Gypsies.*
>
> —Philip Abbott
> *The Family on Trial*

Part II of *The Family on Trial* focuses, first, on the children's-rights theorists who believe childhood is best done away with altogether, in part because children are construed as an oppressed 'class' in need of 'liberation.' Even our affection for our children is cynically dismissed as so much glee in possessing our very own slaves or love objects. Tracing the heritage of child rights advocates to the rational and collective individualist traditions, Abbott unpacks the demand that children "ought to take their place immediately in society as independent human beings." Though they are better off without parents it turns out children may need a bevy of professionals (lawyers, judges, psychiatrists, educators, social workers and political reformers "appear to be the approved vanguard for these efforts") to guide them on their way to fully rationalist, freely-choosing, atomistic adulthood. Some call for children-swapping (if you don't like the ones you've got, trade); others would pack children off to foreign countries or establish a "world system of child exchange." Abbott notes: ". . . the child of this new world takes on all the characteristics of a displaced person. He has many homes but as a consequence is homeless. He has in his possession a whole panoply of human rights but has no power to enforce any of them. He is subject to no authority, except, of course, the authority of those institutions that guarantee him his freedom. He can foresee no future generation, for the capacity to form a generation is not available to him; generation is defined in political, or more properly, in bureaucratic terms."

If all this weren't bad enough we find philosophers who justify abortion not only by denying personhood to the fetus — this is, by now, common and unstartling in abortion debates — but by going so far as to deny human status to the new-born infant. In his chapter on "Abortion, Infanticide, and Rights," Abbott decries moves whereby the concept of humanity itself is restricted as part of a larger set of arguments that resolve around a "rights model" and personhood is granted only to those beings who meet certain standards of rational self-consciousness. Indeed, one of the philosophers whose work Abbott discusses justifies infanticide on precisely the grounds that newborn children are not sentient beings; hence they lie outside the

REVIEWERS

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bounds of ethical consideration. Abbott's larger point is this: the rights model, under which most childhood-abolitionists and "down-with-the-irrational-family" advocates, together with strong pro-abortionists, labor "takes as its basis self-sufficient rational human beings. A good portion of humanity at any given moment does not fit that criterion and children and those who are about to become children make up the bulk of the segment of that population. Since a rights model is designed to make us aware of our self-sufficiency as moral agents, it says little about solidarity among human beings."

That, finally, is where the political and moral issues get joined: on the question — what sort of beings are we, or do we wish to be, anyway? The family is an anomaly if one is enthralled by the image of a society of rationalistic, self-interested agents going about their business, or if one is in the throes of a heady fantasy of 'authenticity' that requires that all persons be untrammeled in their comings and goings, particularly of the sexual sort. Paradoxically, where both the rationalists and romantics wind up is with some form or other of a collectivist order, a polity in which all the barriers to abuse of public power have been destroyed, in which all 'lesser institutions,' including the family, have been eradicated — whether in the name of liberation or justice.

Abbott concludes this sobering and enlightening volume with a defense of "Special Relationships," an embrace of the family rather than its trimming down or mercy-killing to fit the requirements of a 'rational' political order. He offers up, first, the characteristics of special relationships (intimacy, emotional basis, indeterminate time, object diffusion, and dyadic structure — none self-explanatory, and he discusses each in depth). Second, he defends his conviction that the modern family is where these special relationships are most likely to find genuine expression. There is, it turns out, one tradition of political thinking that preserves the family as one feature of a "political order that is capable of offering a safe, decent, and reasonably just life for its citizens," pluralism. Un-

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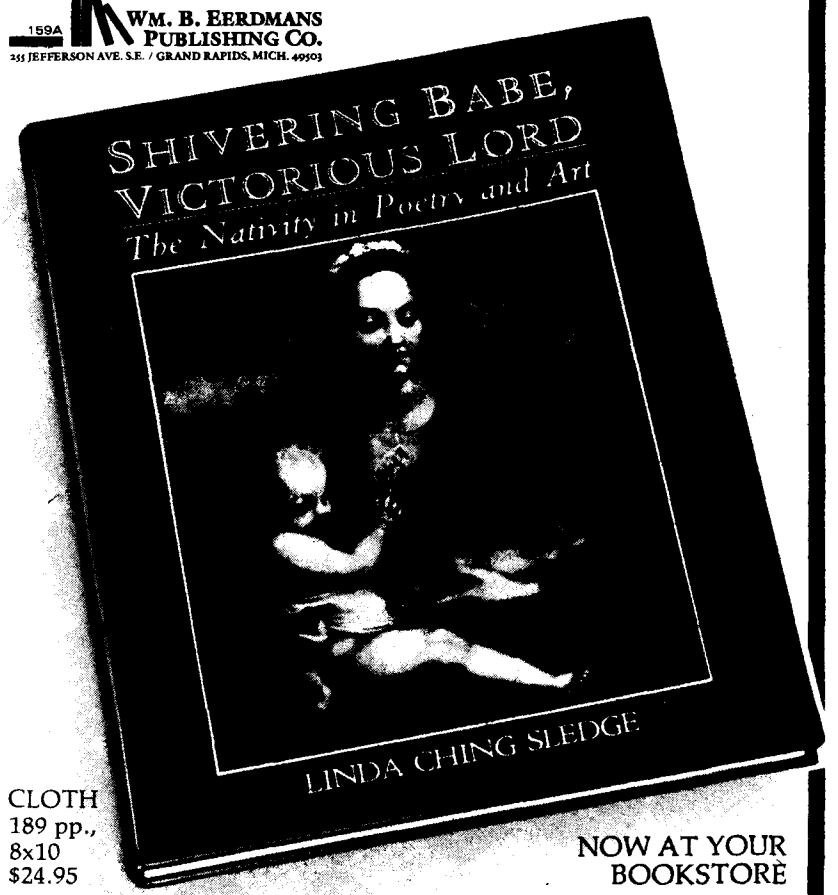

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The Rights of Parents

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fortunately, the version of pluralism that came to prevail on the American scene got tied so thoroughly to a politics of group self-interest that radical thinkers dismissed pluralism entirely. Abbott finds this dangerously short-sighted and so do I. He begins the process of reconstructing an "image of . . . pluralism based upon special relationships, one that welcomes decentralization," that promotes participatory democracy, and that "holds out the possibility for a revitalized social and political order."

In these nasty days when any defense of the family sets liberal and radical teeth on edge, and places one, against one's loudet protestations, in tandem with the Moral Majority, or other discoverers of utopia in the American past, Abbott's courageous volume is welcome. To 'give up' the family to the army of experts Abbott has unmasked, with their bizarre, abstracted models that have to do with everything but real human beings, or to 'give over' the family as a symbol, an issue, and a dream of possibility to the political right-wing would be a historic tragedy of major proportions.

Undoing Christian feminism

MAN AND WOMAN IN CHRIST
THE ROLES OF MEN AND WOMEN IN SCRIPTURE AND THE SOCIAL SCIENCES

Stephen B. Clark

Servant Books, $15.95, 753 pp.

Sidney Callahan

HERE is a book one can hate, but not despise. Much as I disagree with Stephen Clark's thesis and his ideology, I have to admit that he has produced a thorough, competent, mostly fair-minded book. Unfortunately, it is dedicated to the undoing of Christian feminism and liberal theology.

The argument is given at great length, most carefully, with a thousand or more footnotes, and presents a very conservative view of Christianity and the world. For Clark the past and all things traditional are to be preferred. Traditional society and family organization was better, older views of Scripture and church authority were better. Through traditional authority we can know that God intends his people to live in domestic families that emphasize traditional male authority at home and in the community. Men and women must be different in order to complement each other in the family, the final model for all Christian community. Even celibates and single people must cultivate distinctive "womanly" and "manly" qualities, as well as become integrated into families and domestic divisions of labor. Otherwise "they will become a socially disorganizing factor in the community." (You know, like Dorothy Day, Daniel Berrigan or Jesus?)

Jesus, for Clark, is not particularly revolutionary, and neither is the Gospel. Slavery is not really condemned and there is no liberation of women intended which might flout hierarchical order and authority. God's will for men and women can be seen in Scripture, especially Genesis, and that blueprint cannot be disregarded by Christians, even those caught in the snares of liberation theology or in a secular movement like feminism. In the presentation of Clark's thesis almost every relevant Biblical text is examined. Varying interpretations are given and invariably the conservative interpretation is chosen as the authentic Christian message. Theologically, the book is like watching a rerun of an old movie on late night TV. This is where I came in, I groan, are we really being asked to go back to square one?

Yes, we really are. In this scenario men are fitted by God and nature to be the governing sex and so rule in the home and out. In complement, women are to be primarily the heart of the home. Men and women should avoid being best friends with equal and similar personalities and occupations. Clark is quite concerned that by having wives and women as their only friends, men will lose their "manly" qualities and become impotent "feminized males." A Christian husband should care for and protect his wife, "provide for her a clarity in what is ex-

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pected of her, and he should provide a steadying and ordering influence on her emotional life."(!) If women have to work outside the home they should try to take on part time "womanly" occupations such as caring for small children or secretarial work; naturally no woman should ever have a better job or more prestige than her husband, since it might hinder her subordination at home. Women are equal in God's sight, but they must also be subordinate to men.

The claim is also made that such an order exists in nature. Clark has a long section arguing that the evidence of social science research supports his view of men and women. After a sophisticated treatment of the slippery nature of social science data and interpretation, Clark goes right ahead and selectively stresses those findings and authorities which support his position on sex differences. Here he fails in his fair-mindedness, for he denotes and rails against something labeled "Feminist Social Science." The supposed flaw in these research efforts is that this group is "able to stir up dissatisfaction with the current order of men's and women's roles and simultaneously offer a feminist solution to the problems." The complaint seems to be that trouble comes only from outside agitators, who owe allegiance to secularism and subordinate their research to their ideology. This is also what Clark does, with his allegiance to his version of Christianity and subordination of social science to its purposes. He would have done better to admit that good arguments can be made to the effect that encouraging men and women to be more alike in personality and social roles can be beneficial to all concerned, men, women, children, and families.

For Christians, however, the central conflict will not be over the interpretation of the social scientific evidence, but over theological questions. Does God really have any plan at all for individuals which is specifically related to sexual identity? If so, are men and women to be different and complementary, or to develop in a fully human non-differentiated way? Finally, does God's model for Christian community necessitate reliance on past hierarchical traditions, female subordination to male leadership and domestic familial organization? As usual, one starts out arguing about men and women and ends up arguing about God, the church and the world.

Clark has given his side of the argument a good run. Those of us who consider his view of Christianity stultified, cramped, over-domesticated and inauthentic may have to take up our cudgels once more. How boring and sad, but perhaps inevitable, given the conservative zeitgeist of the times. It is ironic that while Clark claims that Christians should struggle against the influence of the world, his book is incredibly suited to the times.

Correspondence

(Continued from page 642)

Syrian bombardment in the Ashrafiyeh neighborhood of East Beirut.

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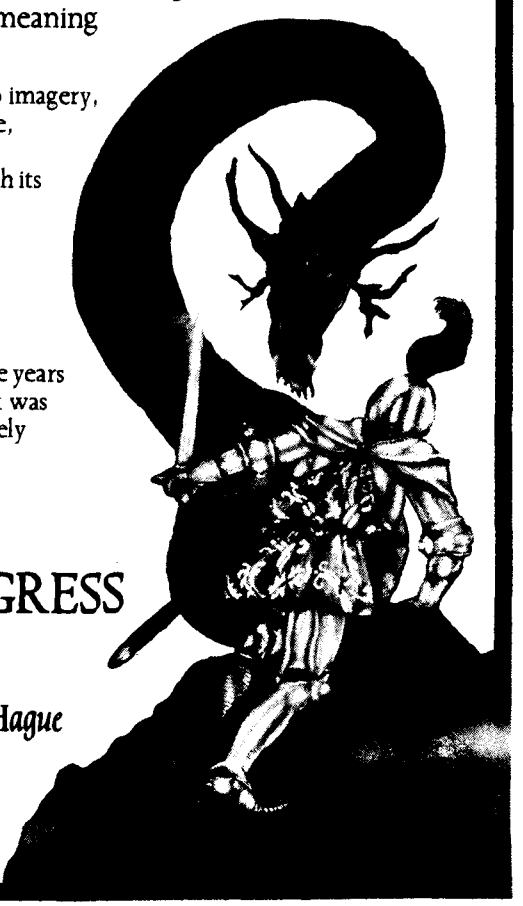

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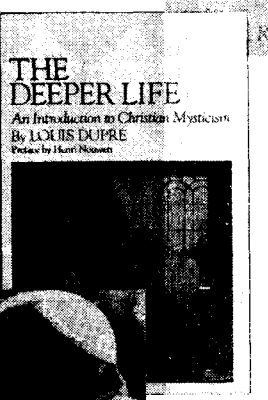

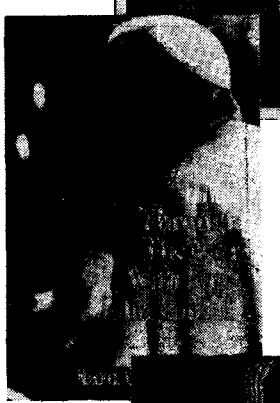

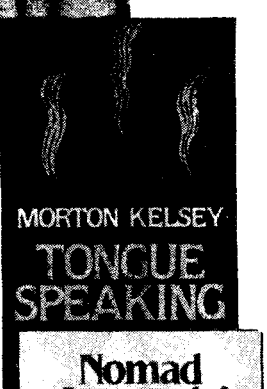

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